

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 422 Session of 2019

INTRODUCED BY VOGEL, FOLMER, COSTA, BAKER, YAW, K. WARD, BROWNE AND MENSCH, MARCH 12, 2019

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, MARCH 25, 2020

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections," providing for Pennsylvania Election Law Advisory <--
12 Board. IN PRELIMINARY PROVISIONS, FURTHER PROVIDING FOR <--
13 DEFINITIONS; IN COUNTY BOARDS OF ELECTIONS, FURTHER PROVIDING
14 FOR POWERS AND DUTIES OF COUNTY BOARDS; IN BALLOTS, FURTHER
15 PROVIDING FOR FORMS OF BALLOTS, PRINTING BALLOTS, NUMBERS; IN
16 ELECTRONIC VOTING SYSTEMS, FURTHER PROVIDING FOR FORMS, FOR
17 ELECTION DAY PROCEDURES AND THE PROCESS OF VOTING AND FOR
18 POST ELECTION PROCEDURES; IN PREPARATION FOR AND CONDUCT OF
19 PRIMARIES AND ELECTIONS, FURTHER PROVIDING FOR MANNER OF
20 APPLYING TO VOTE, PERSONS ENTITLED TO VOTE, VOTER'S
21 CERTIFICATES, ENTRIES TO BE MADE IN DISTRICT REGISTER,
22 NUMBERED LISTS OF VOTERS, CHALLENGES AND FOR DEADLINE FOR
23 RECEIPT OF VALID VOTER REGISTRATION APPLICATION; IN VOTING BY
24 QUALIFIED ABSENTEE ELECTORS, FURTHER PROVIDING FOR
25 APPLICATIONS FOR OFFICIAL ABSENTEE BALLOTS, FOR APPROVAL OF
26 APPLICATION FOR ABSENTEE BALLOT, FOR ABSENTEE AND MAIL-IN
27 ELECTORS FILES AND LISTS, FOR OFFICIAL ABSENTEE VOTERS
28 BALLOTS, FOR ENVELOPES FOR OFFICIAL ABSENTEE BALLOTS, FOR
29 DELIVERING OR MAILING BALLOTS, FOR VOTING BY ABSENTEE
30 ELECTORS, FOR CANVASSING OF OFFICIAL ABSENTEE BALLOTS AND
31 MAIL-IN BALLOTS AND FOR PUBLIC RECORDS AND REPEALING
32 PROVISIONS RELATING TO VIOLATION OF PROVISIONS RELATING TO

1 ABSENTEE VOTING; IN VOTING BY QUALIFIED MAIL-IN ELECTORS,
2 FURTHER PROVIDING FOR QUALIFIED MAIL-IN ELECTORS, FOR
3 APPLICATIONS FOR OFFICIAL MAIL-IN BALLOTS, FOR APPROVAL OF
4 APPLICATION FOR MAIL-IN BALLOT, FOR OFFICIAL MAIL-IN ELECTOR
5 BALLOTS, FOR ENVELOPES FOR OFFICIAL MAIL-IN BALLOTS, FOR
6 VOTING BY MAIL-IN ELECTORS AND FOR PUBLIC RECORDS AND
7 REPEALING PROVISIONS RELATING TO VIOLATION OF PROVISIONS
8 RELATING TO MAIL-IN VOTING; PROVIDING FOR PENNSYLVANIA
9 ELECTION LAW ADVISORY BOARD; IN PENALTIES, FURTHER PROVIDING
10 FOR VIOLATIONS OF PROVISIONS RELATING TO ABSENTEE ELECTORS
11 BALLOTS; PROVIDING FOR EMERGENCY PROVISIONS FOR 2020 GENERAL
12 PRIMARY ELECTION; AND MAKING A RELATED REPEAL.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 ~~Section 1. The act of June 3, 1937 (P.L.1333, No.320), known <--~~
16 ~~as the Pennsylvania Election Code, is amended by adding an~~
17 ~~article to read:~~

18 ARTICLE XIII D

19 Pennsylvania Election Law Advisory Board

20 Section 1301 D. Definitions.

21 The following words and phrases when used in this article
22 shall have the meanings given to them in this section unless the
23 context clearly indicates otherwise:

24 "Board." The Pennsylvania Election Law Advisory Board
25 established under section 1302 D(a).

26 "Department." The Department of State of the Commonwealth.
27 Section 1302 D. Pennsylvania Election Law Advisory Board.

28 (a) Establishment. The Pennsylvania Election Law Advisory
29 Board is established within the department.

30 (b) Members. The board shall be comprised of the following
31 members:

32 (1) The Secretary of State or a designee.

33 (2) The President pro tempore of the Senate or a
34 designee.

35 (3) The Minority Leader of the Senate or a designee.

36 (4) The Speaker of the House of Representatives or a

1 ~~designee.~~

2 ~~(5) The Minority Leader of the House of Representatives~~
3 ~~or a designee.~~

4 ~~(6) One member from each congressional district, of whom~~
5 ~~no more than half may be registered with the same political~~
6 ~~party, appointed by the Governor and confirmed by the Senate~~
7 ~~and which shall include members who:~~

8 ~~(i) represent groups advocating for individuals with~~
9 ~~disabilities;~~

10 ~~(ii) represent groups advocating for voting rights;~~
11 ~~and~~

12 ~~(iii) represent county commissioners or county~~
13 ~~election officials.~~

14 ~~(c) Duties. The board shall have the following duties:~~

15 ~~(1) Study this act and identify statutory language to~~
16 ~~repeal, modify or update.~~

17 ~~(2) Collaborate with other agencies and political~~
18 ~~subdivisions of the Commonwealth to study election related~~
19 ~~issues.~~

20 ~~(3) Study the development of new election technology and~~
21 ~~voting machines.~~

22 ~~(4) Evaluate and make recommendations on:~~

23 ~~(i) improving the electoral process in Pennsylvania~~
24 ~~by amending this act; and~~

25 ~~(ii) implementing best practices identified to~~
26 ~~ensure the integrity and efficiency of the electoral~~
27 ~~process in Pennsylvania.~~

28 ~~(5) By the end of each fiscal year, publish extensive~~
29 ~~and detailed findings on the department's publicly accessible~~
30 ~~Internet website and make them available in electronic format~~

1 ~~to the Office of the Governor and members of the General~~
2 ~~Assembly.~~

3 ~~(d) Quorum. A majority of appointed members shall~~
4 ~~constitute a quorum for the purpose of conducting business.~~

5 ~~(e) Chairperson and vice chairperson. The members shall~~
6 ~~select a member to be chairperson and another member to be vice~~
7 ~~chairperson.~~

8 ~~(f) Transparency and ethics. The board shall be subject to~~
9 ~~the following laws:~~

10 ~~(1) The act of July 19, 1957 (P.L.1017, No.451), known~~
11 ~~as the State Adverse Interest Act.~~

12 ~~(2) The act of October 4, 1978 (P.L.883, No.170),~~
13 ~~referred to as the Public Official and Employee Ethics Law.~~

14 ~~(3) The act of February 14, 2008 (P.L.6, No.3), known as~~
15 ~~the Right to Know Law.~~

16 ~~(4) 65 Pa.C.S. Ch. 7 (relating to open meetings).~~

17 ~~(g) Information gathering. The board may conduct hearings~~
18 ~~and otherwise gather pertinent information and analysis that it~~
19 ~~considers appropriate and necessary to fulfill its duties.~~

20 ~~(h) Reimbursement. The board and members of the board shall~~
21 ~~be reimbursed for reasonable expenses.~~

22 ~~Section 2. This act shall take effect in 60 days.~~

23 SECTION 1. SECTION 102(A.1) AND (Z.6) OF THE ACT OF JUNE 3, <--
24 1937 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA ELECTION
25 CODE, ADDED OCTOBER 31, 2019 (P.L.552, NO.77), ARE AMENDED AND
26 THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

27 SECTION 102. DEFINITIONS.--THE FOLLOWING WORDS, WHEN USED IN
28 THIS ACT, SHALL HAVE THE FOLLOWING MEANINGS, UNLESS OTHERWISE
29 CLEARLY APPARENT FROM THE CONTEXT:

30 * * *

1 (A.1) ["CANVASS" INCLUDES] THE WORD "CANVASS" SHALL MEAN THE
2 GATHERING [THE] OF BALLOTS AFTER THE [ELECTION] FINAL PRE-
3 CANVASS MEETING AND THE COUNTING, COMPUTING AND TALLYING OF THE
4 VOTES REFLECTED ON THE BALLOTS.

5 * * *

6 (O.1) THE WORD "PRE-CANVASS" SHALL MEAN THE INSPECTION AND
7 OPENING OF ALL ENVELOPES CONTAINING OFFICIAL ABSENTEE BALLOTS OR
8 MAIL-IN BALLOTS, THE REMOVAL OF SUCH BALLOTS FROM THE ENVELOPES
9 AND THE COUNTING, COMPUTING AND TALLYING OF THE VOTES REFLECTED
10 ON THE BALLOTS. THE TERM DOES NOT INCLUDE THE RECORDING OR
11 PUBLISHING OF THE VOTES REFLECTED ON THE BALLOTS.

12 * * *

13 (Z.6) THE WORDS "QUALIFIED MAIL-IN ELECTOR" SHALL MEAN A
14 QUALIFIED ELECTOR [WHO IS NOT A QUALIFIED ABSENTEE ELECTOR.]
15 THE TERM DOES NOT INCLUDE A PERSON SPECIFICALLY PROHIBITED FROM
16 BEING A QUALIFIED ABSENTEE ELECTOR UNDER SECTION 1301.

17 SECTION 2. SECTION 302 (P) OF THE ACT IS AMENDED TO READ:
18 SECTION 302. POWERS AND DUTIES OF COUNTY BOARDS.--THE COUNTY
19 BOARDS OF ELECTIONS, WITHIN THEIR RESPECTIVE COUNTIES, SHALL
20 EXERCISE, IN THE MANNER PROVIDED BY THIS ACT, ALL POWERS GRANTED
21 TO THEM BY THIS ACT, AND SHALL PERFORM ALL THE DUTIES IMPOSED
22 UPON THEM BY THIS ACT, WHICH SHALL INCLUDE THE FOLLOWING:

23 * * *

24 (P) A COUNTY BOARD OF ELECTIONS SHALL NOT PAY COMPENSATION
25 TO A JUDGE OF ELECTIONS WHO WILFULLY FAILS TO DELIVER BY TWO
26 O'CLOCK A. M. ON THE DAY FOLLOWING THE ELECTION ENVELOPES;
27 SUPPLIES, INCLUDING ALL UNCAST PROVISIONAL BALLOTS; AND RETURNS,
28 INCLUDING ALL PROVISIONAL BALLOTS [AND ABSENTEE BALLOTS] CAST IN
29 THE ELECTION DISTRICT AND STATEMENTS SIGNED UNDER SECTIONS 1306
30 AND 1302-D.

1 SECTION 3. SECTION 1004 OF THE ACT, AMENDED OCTOBER 31, 2019
2 (P.L.552, NO.77) AND NOVEMBER 27, 2019 (P.L.673, NO.94), IS
3 AMENDED TO READ:

4 SECTION 1004. FORM OF BALLOTS; PRINTING BALLOTS [;
5 NUMBERS] .--FROM THE LISTS FURNISHED BY THE SECRETARY OF THE
6 COMMONWEALTH UNDER THE PROVISIONS OF SECTIONS 915 AND 984, AND
7 FROM PETITIONS AND PAPERS FILED IN THEIR OFFICE, THE COUNTY
8 ELECTION BOARD SHALL PRINT THE OFFICIAL PRIMARY AND ELECTION
9 BALLOTS IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT: PROVIDED,
10 HOWEVER, THAT IN NO EVENT, SHALL THE NAME OF ANY PERSON
11 CONSENTING TO BE A CANDIDATE FOR NOMINATION FOR ANY ONE OFFICE,
12 EXCEPT THE OFFICE OF JUDGE OF A COURT OF COMMON PLEAS, THE
13 PHILADELPHIA MUNICIPAL COURT OR THE OFFICE OF SCHOOL DIRECTOR IN
14 DISTRICTS WHERE THAT OFFICE IS ELECTIVE OR THE OFFICE OF JUSTICE
15 OF THE PEACE BE PRINTED AS A CANDIDATE FOR SUCH OFFICE UPON THE
16 OFFICIAL PRIMARY BALLOT OF MORE THAN ONE PARTY. ALL BALLOTS FOR
17 USE IN THE SAME ELECTION DISTRICT AT ANY PRIMARY OR ELECTION
18 SHALL BE ALIKE. [THEY SHALL BE AT LEAST SIX INCHES LONG AND FOUR
19 INCHES WIDE, AND SHALL HAVE A MARGIN EXTENDING BEYOND ANY
20 PRINTING THEREON. THEY SHALL BE PRINTED WITH THE SAME KIND OF
21 TYPE (WHICH SHALL NOT BE SMALLER THAN THE SIZE KNOWN AS
22 "BREVIER" OR "EIGHT POINT BODY") UPON WHITE PAPER OF UNIFORM
23 QUALITY, WITHOUT ANY IMPRESSION OR MARK TO DISTINGUISH ONE FROM
24 ANOTHER, AND WITH SUFFICIENT THICKNESS TO PREVENT THE PRINTED
25 MATTER FROM SHOWING THROUGH. ALL THE BALLOTS FOR THE SAME
26 ELECTION DISTRICT SHALL BE BOUND TOGETHER IN BOOKS OF FIFTY, IN
27 SUCH MANNER THAT EACH BALLOT MAY BE DETACHED AND REMOVED
28 SEPARATELY. THE BALLOTS FOR EACH PARTY TO BE USED AT A PRIMARY
29 SHALL BE BOUND SEPARATELY.]

30 SECTION 4. SECTIONS 1109-A(A) (2), (B) AND (E) AND 1112-A(B)

1 (2), (3) AND (4) OF THE ACT, AMENDED OCTOBER 31, 2019 (P.L.552,
2 NO.77), ARE AMENDED TO READ:

3 SECTION 1109-A. FORMS.--(A) * * *

4 (2) THE PAGES PLACED ON THE VOTING DEVICE SHALL BE OF
5 SUFFICIENT NUMBER TO INCLUDE, FOLLOWING THE LISTING OF
6 PARTICULAR CANDIDATES, THE NAMES OF CANDIDATES FOR ANY
7 NONPARTISAN OFFICES AND ANY MEASURES FOR WHICH A VOTER MAY BE
8 QUALIFIED TO VOTE ON A GIVEN ELECTION DAY. [, PROVIDED FURTHER
9 THAT FOR MUNICIPAL, GENERAL OR SPECIAL ELECTIONS, THE FIRST
10 BALLOT PAGE SHALL LIST IN THE ORDER THAT SUCH POLITICAL PARTIES
11 ARE ENTITLED TO PRIORITY ON THE BALLOT, THE NAMES OF SUCH
12 POLITICAL PARTIES.]

13 * * *

14 (B) BALLOT LABELS SHALL BE PRINTED IN PLAIN CLEAR TYPE [IN
15 BLACK INK], OF SUCH SIZE AND ARRANGEMENT AS TO FIT THE
16 CONSTRUCTION OF THE VOTING DEVICE; AND THEY SHALL BE PRINTED [ON
17 CLEAR WHITE MATERIAL OR ON MATERIAL OF DIFFERENT COLORS TO
18 IDENTIFY DIFFERENT BALLOTS OR PARTS OF THE BALLOT AND IN PRIMARY
19 ELECTIONS TO IDENTIFY EACH POLITICAL PARTY.] IN A MANNER
20 PRESCRIBED BY THE SECRETARY OF THE COMMONWEALTH TO IDENTIFY
21 DIFFERENT BALLOTS OR PARTS OF A BALLOT AND IN PRIMARY ELECTIONS
22 TO IDENTIFY EACH POLITICAL PARTY.

23 * * *

24 (E) IN PRIMARY ELECTIONS, THE SECRETARY OF THE COMMONWEALTH
25 SHALL [CHOOSE A COLOR FOR EACH PARTY ELIGIBLE TO HAVE CANDIDATES
26 ON THE BALLOT AND A SEPARATE COLOR FOR INDEPENDENT VOTERS. THE
27 BALLOT CARDS OR PAPER BALLOTS AND BALLOT PAGES SHALL BE PRINTED
28 ON CARD OR PAPER STOCK OF THE COLOR OF THE PARTY OF THE VOTER
29 AND THE APPROPRIATE PARTY AFFILIATION OR INDEPENDENT STATUS
30 SHALL BE PRINTED ON THE BALLOT CARD OR AT THE TOP OF THE PAPER

1 BALLOT AND ON THE BALLOT PAGES.] PRESCRIBE A METHOD TO ENSURE
2 THAT THE ELECTOR VOTES THE CORRECT BALLOT.

3 * * *

4 SECTION 1112-A. ELECTION DAY PROCEDURES AND THE PROCESS OF
5 VOTING.--* * *

6 (B) IN AN ELECTION DISTRICT WHICH USES AN ELECTRONIC VOTING
7 SYSTEM WHICH UTILIZES PAPER BALLOTS OR BALLOT CARDS TO REGISTER
8 THE VOTES, THE FOLLOWING PROCEDURES WILL BE APPLICABLE FOR THE
9 CONDUCT OF THE ELECTION AT THE ELECTION DISTRICT:

10 * * *

11 (2) AT PRIMARY ELECTIONS, THE VOTER SHALL VOTE FOR THE
12 CANDIDATES OF HIS CHOICE FOR NOMINATION, ACCORDING TO THE NUMBER
13 OF PERSONS TO BE VOTED FOR BY HIM, FOR EACH OFFICE BY MAKING A
14 CROSS (X) OR CHECK (✓) MARK OR BY MAKING A PUNCH OR MARK SENSE
15 MARK IN THE SQUARE OPPOSITE THE NAME OF THE CANDIDATE OR BY
16 OTHERWISE INDICATING A SELECTION ASSOCIATED WITH THE CANDIDATE,
17 OR HE MAY SO [MARK THE WRITE-IN POSITION PROVIDED ON THE BALLOT
18 FOR THE PARTICULAR OFFICE] INDICATE ON THE BALLOT THAT THE VOTER
19 IS ELECTING TO WRITE IN THE NAME OF A PERSON FOR THE PARTICULAR
20 OFFICE, AND[, IN THE SPACE PROVIDED THEREFOR ON THE BALLOT
21 AND/OR BALLOT ENVELOPE, WRITE] INSERT THE IDENTIFICATION OF THE
22 OFFICE IN QUESTION AND THE NAME OF ANY PERSON NOT ALREADY
23 [PRINTED ON THE BALLOT FOR THAT OFFICE] LISTED AS A CANDIDATE
24 FOR THAT OFFICE, AND SUCH [MARK] INDICATION AND [WRITTEN]
25 INSERTION SHALL COUNT AS A VOTE FOR THAT PERSON FOR SUCH OFFICE.
26 (3) AT ALL OTHER ELECTIONS, THE VOTER SHALL VOTE FOR THE
27 CANDIDATES OF HIS CHOICE FOR EACH OFFICE TO BE FILLED, ACCORDING
28 TO THE NUMBER OF PERSONS TO BE VOTED FOR BY HIM FOR EACH OFFICE,
29 BY MAKING A CROSS (X) OR CHECK (✓) MARK OR BY MAKING A PUNCH OR
30 MARK SENSE MARK IN THE SQUARE OPPOSITE THE NAME OF THE

1 CANDIDATE, OR BY OTHERWISE INDICATING A SELECTION ASSOCIATED
2 WITH THE CANDIDATE, OR HE MAY SO [MARK THE WRITE-IN POSITION
3 PROVIDED ON THE BALLOT FOR THE PARTICULAR OFFICE] INDICATE ON
4 THE BALLOT THAT THE VOTER IS ELECTING TO WRITE IN THE NAME OF A
5 PERSON FOR THE PARTICULAR OFFICE, AND[, IN THE SPACE PROVIDED
6 THEREFOR ON THE BALLOT AND/OR BALLOT ENVELOPE, WRITE] INSERT THE
7 IDENTIFICATION OF THE OFFICE IN QUESTION AND THE NAME OF ANY
8 PERSON NOT ALREADY [PRINTED ON THE BALLOT FOR THAT OFFICE]
9 LISTED AS A CANDIDATE FOR THAT OFFICE, AND SUCH [MARK]
10 INDICATION AND [WRITTEN] INSERTION SHALL COUNT AS A VOTE FOR
11 THAT PERSON FOR SUCH OFFICE.

12 (4) IF HE DESIRES TO VOTE FOR THE ENTIRE GROUP OF
13 PRESIDENTIAL ELECTORS NOMINATED BY ANY PARTY OR POLITICAL BODY,
14 HE MAY MAKE A CROSS (X) OR CHECK (✓) OR PUNCH OR MARK SENSE MARK
15 [IN THE APPROPRIATE SPACE OPPOSITE] OR OTHERWISE INDICATE A
16 SELECTION ASSOCIATED WITH THE NAMES OF THE CANDIDATES FOR
17 PRESIDENT AND VICE-PRESIDENT OF SUCH PARTY OR BODY. IF HE
18 DESIRES TO VOTE A TICKET FOR PRESIDENTIAL ELECTORS MADE UP OF
19 THE NAMES OF PERSONS NOMINATED BY DIFFERENT PARTIES OR POLITICAL
20 BODIES, OR PARTIALLY OF NAMES OF PERSONS SO IN NOMINATION AND
21 PARTIALLY OF NAMES OF PERSONS NOT IN NOMINATION BY ANY PARTY OR
22 POLITICAL BODY, OR WHOLLY OF NAMES OF PERSONS NOT IN NOMINATION
23 BY ANY PARTY OR POLITICAL BODY, HE SHALL INSERT, [BY WRITING OR
24 STAMPING,] THE NAMES OF THE CANDIDATES FOR PRESIDENTIAL ELECTORS
25 FOR WHOM HE DESIRES TO VOTE [IN THE BLANK SPACES PROVIDED
26 THEREFOR] ON THE WRITE-IN BALLOT UNDER THE TITLE OF THE OFFICE
27 "PRESIDENTIAL ELECTORS". IN CASE OF A QUESTION SUBMITTED TO THE
28 VOTE OF THE ELECTORS, HE MAY MAKE A CROSS (X) OR CHECK (✓) OR
29 PUNCH OR MARK SENSE MARK [IN THE APPROPRIATE SQUARE OPPOSITE] OR
30 OTHERWISE INDICATE A SELECTION ASSOCIATED WITH THE ANSWER WHICH

1 HE DESIRES TO GIVE.

2 * * *

3 SECTION 5. SECTION 1113-A(I) OF THE ACT IS AMENDED TO READ:

4 SECTION 1113-A. POST ELECTION PROCEDURES.--* * *

5 (I) IN THE EVENT THAT DISTRICT TABULATION OF VOTES IS NOT
6 PROVIDED FOR BY THE VOTING SYSTEM, IT SHALL BE THE
7 RESPONSIBILITY OF THE COUNTY BOARD OF ELECTIONS TO MAKE
8 AVAILABLE TO THE PUBLIC AT THE CENTRAL TABULATING CENTER, THE
9 ELECTION RESULTS FOR EACH ELECTION DISTRICT. [IT SHALL BE THE
10 FURTHER DUTY OF THE COUNTY BOARD OF ELECTIONS TO POST SUCH
11 RESULTS IN EACH ELECTION DISTRICT NO LATER THAN 5:00 P.M. OF THE
12 SECOND DAY FOLLOWING THE ELECTION.]

13 * * *

14 SECTION 6. SECTION 1210(A.4) (1) OF THE ACT, AMENDED OCTOBER
15 31, 2019 (P.L.552, NO.77), IS AMENDED TO READ:

16 SECTION 1210. MANNER OF APPLYING TO VOTE; PERSONS ENTITLED
17 TO VOTE; VOTER'S CERTIFICATES; ENTRIES TO BE MADE IN DISTRICT
18 REGISTER; NUMBERED LISTS OF VOTERS; CHALLENGES.--* * *

19 (A.4) (1) AT ALL ELECTIONS AN INDIVIDUAL WHO CLAIMS TO BE
20 PROPERLY REGISTERED AND ELIGIBLE TO VOTE AT THE ELECTION
21 DISTRICT BUT WHOSE NAME DOES NOT APPEAR ON THE DISTRICT REGISTER
22 AND WHOSE REGISTRATION CANNOT BE DETERMINED BY THE INSPECTORS OF
23 ELECTION OR THE COUNTY ELECTION BOARD SHALL BE PERMITTED TO CAST
24 A PROVISIONAL BALLOT. INDIVIDUALS WHO APPEAR TO VOTE SHALL BE
25 REQUIRED TO PRODUCE PROOF OF IDENTIFICATION PURSUANT TO
26 SUBSECTION (A) AND IF UNABLE TO DO SO SHALL BE PERMITTED TO CAST
27 A PROVISIONAL BALLOT. AN INDIVIDUAL PRESENTING A JUDICIAL ORDER
28 TO VOTE SHALL BE PERMITTED TO CAST A PROVISIONAL BALLOT. [AN
29 ELECTOR WHO APPEARS TO VOTE ON ELECTION DAY HAVING REQUESTED AN
30 ABSENTEE BALLOT OR MAIL-IN BALLOT AND WHO IS NOT SHOWN ON THE

1 DISTRICT REGISTER AS HAVING VOTED AN ABSENTEE BALLOT OR MAIL-IN
2 BALLOT SHALL BE PERMITTED TO CAST A PROVISIONAL BALLOT.]

3 * * *

4 SECTION 7. SECTION 1231(C)(2) OF THE ACT, ADDED OCTOBER 31,
5 2019 (P.L.552, NO.77), IS AMENDED AND THE SECTION IS AMENDED BY
6 ADDING A SUBSECTION TO READ:

7 SECTION 1231. DEADLINE FOR RECEIPT OF VALID VOTER
8 REGISTRATION APPLICATION.--* * *

9 (C) * * *

10 [(2) NO APPLICATIONS SHALL BE RECEIVED AS FOLLOWS:

11 (I) ON SUNDAYS.

12 (II) ON HOLIDAYS.

13 (III) ON THE DAY OF THE ELECTION.

14 (IV) DURING THE FIFTEEN DAYS NEXT PRECEDING EACH GENERAL,

15 MUNICIPAL AND PRIMARY ELECTION EXCEPT AS PROVIDED UNDER

16 SUBSECTION (B).]

17 * * *

18 (E) (1) AN APPLICANT WHOSE VOTER REGISTRATION APPLICATION <--
19 IS TIMELY RECEIVED UNDER SUBSECTION (B) OR (C) SHALL BE DEEMED A
20 REGISTERED ELECTOR OF THE COUNTY IMMEDIATELY UPON ACCEPTANCE OF
21 THE VOTER REGISTRATION APPLICATION BY THE COMMISSION UNDER 25
22 PA.C.S. § 1328(C)(1) OR (2) (RELATING TO APPROVAL OF
23 REGISTRATION APPLICATIONS), AND THE COMMISSION SHALL ENTER THE
24 ELECTOR'S REGISTRATION INFORMATION IN THE GENERAL REGISTER, WITH
25 THE ELECTOR'S UNIQUE IDENTIFICATION NUMBER ENTERED AS HIS OR HER
26 SURE REGISTRATION NUMBER.

27 (2) NOTWITHSTANDING 25 PA.C.S. § 1328(B)(2), IF UNDER <--
28 SUBSECTION (B) OR (C) AN APPLICANT TIMELY PRESENTS HIS OR HER <--
29 OWN APPLICATION FOR VOTER REGISTRATION UNDER 25 PA.C.S. § 1322
30 (RELATING TO IN-PERSON VOTER REGISTRATION), THE COMMISSION SHALL

1 IMMEDIATELY EXAMINE THE APPLICATION PURSUANT TO 25 PA.C.S. §
2 1328(A) AND SHALL, WHILE THE APPLICANT WAITS, PROMPTLY DECIDE ON
3 SAID APPLICATION BY EITHER ACCEPTING IT, REJECTING IT OR
4 FORWARDING IT PURSUANT TO 25 PA.C.S. § 1328(B) AND, IF ACCEPTED,
5 PROCESS THE APPLICATION IN ACCORDANCE WITH 25 PA.C.S. § 1328(C).

6 SECTION 8. SECTIONS 1302(E.1) AND (I) (1), 1302.2(C) AND (E)
7 AND 1302.3(A), AMENDED OCTOBER 31, 2019 (P.L.552, NO.77), ARE
8 AMENDED TO READ:

9 SECTION 1302. APPLICATIONS FOR OFFICIAL ABSENTEE BALLOTS.--*

10 * *

11 (E.1) ANY QUALIFIED REGISTERED ELECTOR WHO IS UNABLE BECAUSE
12 OF ILLNESS OR PHYSICAL DISABILITY TO ATTEND HIS POLLING PLACE ON
13 THE DAY OF ANY PRIMARY OR ELECTION OR OPERATE A VOTING MACHINE
14 AND STATE DISTINCTLY AND AUDIBLY THAT HE IS UNABLE TO DO SO AS
15 REQUIRED BY SECTION 1218 OF THIS ACT MAY AT ANY TIME REQUEST,
16 WITH THE CERTIFICATION BY HIS ATTENDING PHYSICIAN THAT HE IS
17 PERMANENTLY DISABLED[] AND PHYSICALLY UNABLE TO ATTEND THE
18 POLLS OR OPERATE A VOTING MACHINE AND MAKE THE DISTINCT AND
19 AUDIBLE STATEMENT REQUIRED BY SECTION 1218 APPENDED TO THE
20 APPLICATION HEREINBEFORE REQUIRED, TO BE PLACED ON A PERMANENTLY
21 DISABLED ABSENTEE BALLOT LIST FILE. AN ABSENTEE BALLOT
22 APPLICATION SHALL BE MAILED TO EVERY SUCH PERSON OTHERWISE
23 ELIGIBLE TO RECEIVE ONE, BY THE FIRST MONDAY IN FEBRUARY EACH
24 YEAR, OR WITHIN FORTY-EIGHT HOURS OF RECEIPT OF THE REQUEST,
25 WHICHEVER IS LATER, SO LONG AS HE DOES NOT LOSE HIS VOTING
26 RIGHTS BY FAILURE TO VOTE AS OTHERWISE REQUIRED BY THIS ACT.
27 SUCH PERSON SHALL NOT BE REQUIRED TO FILE A PHYSICIAN'S
28 CERTIFICATE OF DISABILITY WITH EACH APPLICATION AS REQUIRED IN
29 SUBSECTION (E) OF THIS SECTION. SHOULD ANY SUCH PERSON LOSE HIS
30 DISABILITY HE SHALL INFORM THE COUNTY BOARD OF ELECTIONS OF THE

1 COUNTY OF HIS RESIDENCE. AN ABSENTEE BALLOT APPLICATION MAILED
2 TO [A VOTER] AN ELECTOR UNDER THIS SECTION, WHICH IS COMPLETED
3 AND TIMELY RETURNED BY THE [VOTER] ELECTOR, SHALL SERVE AS AN
4 APPLICATION FOR ANY AND ALL PRIMARY, GENERAL OR SPECIAL
5 ELECTIONS TO BE HELD IN THE REMAINDER OF THAT CALENDAR YEAR AND
6 FOR ALL SPECIAL ELECTIONS TO BE HELD BEFORE THE THIRD MONDAY IN
7 FEBRUARY OF THE SUCCEEDING YEAR. THE TRANSFER OF A QUALIFIED
8 REGISTERED ELECTOR ON A PERMANENTLY DISABLED ABSENTEE BALLOT
9 LIST FROM ONE COUNTY TO ANOTHER COUNTY SHALL ONLY BE PERMITTED
10 UPON THE REQUEST OF THE QUALIFIED REGISTERED ELECTOR.

11 * * *

12 (I) (1) APPLICATION FOR OFFICIAL ABSENTEE BALLOTS SHALL BE
13 ON PHYSICAL AND ELECTRONIC FORMS PRESCRIBED BY THE SECRETARY OF
14 THE COMMONWEALTH. THE APPLICATION SHALL STATE THAT AN ELECTOR
15 WHO [RECEIVES AND VOTES] APPLIES FOR AN ABSENTEE BALLOT PURSUANT
16 TO SECTION 1301 SHALL NOT BE ELIGIBLE TO VOTE AT A POLLING PLACE
17 ON ELECTION DAY[.] UNLESS THE ELECTOR BRINGS THE ELECTOR'S
18 ABSENTEE BALLOT TO THE ELECTOR'S POLLING PLACE, REMITS THE
19 BALLOT AND THE ENVELOPE CONTAINING THE DECLARATION OF THE
20 ELECTOR TO THE JUDGE OF ELECTIONS TO BE SPOILED AND SIGNS A
21 STATEMENT SUBJECT TO THE PENALTIES OF 18 PA.C.S. § 4904
22 (RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES) TO THE SAME
23 EFFECT. SUCH PHYSICAL APPLICATION FORMS SHALL BE MADE FREELY
24 AVAILABLE TO THE PUBLIC AT COUNTY BOARD OF ELECTIONS, MUNICIPAL
25 BUILDINGS AND AT SUCH OTHER LOCATIONS DESIGNATED BY THE
26 SECRETARY. SUCH ELECTRONIC APPLICATION FORMS SHALL BE MADE
27 FREELY AVAILABLE TO THE PUBLIC THROUGH PUBLICLY ACCESSIBLE
28 MEANS. NO WRITTEN APPLICATION OR PERSONAL REQUEST SHALL BE
29 NECESSARY TO RECEIVE OR ACCESS THE APPLICATION FORMS. COPIES AND
30 RECORDS OF ALL COMPLETED PHYSICAL AND ELECTRONIC APPLICATIONS

1 FOR OFFICIAL ABSENTEE BALLOTS SHALL BE RETAINED BY THE COUNTY
2 BOARD OF ELECTIONS.

3 * * *

4 SECTION 1302.2. APPROVAL OF APPLICATION FOR ABSENTEE
5 BALLOT.--

6 * * *

7 (C) THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT OF ANY
8 APPLICATION OF A QUALIFIED ELECTOR REQUIRED TO BE REGISTERED
9 UNDER THE PROVISIONS OF PRECEDING SECTION 1301, SHALL DETERMINE
10 THE QUALIFICATIONS OF SUCH APPLICANT BY VERIFYING THE PROOF OF
11 IDENTIFICATION AND COMPARING THE INFORMATION SET FORTH ON SUCH
12 APPLICATION WITH THE INFORMATION CONTAINED ON THE APPLICANT'S
13 PERMANENT REGISTRATION CARD. IF THE BOARD IS SATISFIED THAT THE
14 APPLICANT IS QUALIFIED TO RECEIVE AN OFFICIAL ABSENTEE BALLOT,
15 THE APPLICATION SHALL BE MARKED "APPROVED." SUCH APPROVAL
16 DECISION SHALL BE FINAL AND BINDING, EXCEPT THAT CHALLENGES MAY
17 BE MADE ONLY ON THE GROUND THAT THE APPLICANT [DID NOT POSSESS
18 THE QUALIFICATIONS OF AN ABSENTEE] WAS NOT A QUALIFIED ELECTOR.
19 SUCH CHALLENGES MUST BE MADE TO THE COUNTY BOARD OF ELECTIONS
20 PRIOR TO [THE APPLICABLE DEADLINE FOR THE ABSENTEE BALLOTS TO BE
21 RECEIVED, AS PROVIDED IN SECTION 1308(G)]. WHEN SO APPROVED, THE
22 REGISTRATION COMMISSION SHALL CAUSE AN ABSENTEE VOTER'S
23 TEMPORARY REGISTRATION CARD TO BE INSERTED IN THE DISTRICT
24 REGISTER ON TOP OF AND ALONG WITH THE PERMANENT REGISTRATION
25 CARD. THE ABSENTEE VOTER'S TEMPORARY REGISTRATION CARD SHALL BE
26 IN THE COLOR AND FORM PRESCRIBED IN SUBSECTION (E) OF THIS
27 SECTION:
28 PROVIDED, HOWEVER, THAT THE DUTIES OF THE COUNTY BOARDS OF
29 ELECTIONS AND THE REGISTRATION COMMISSIONS WITH RESPECT TO THE
30 INSERTION OF THE ABSENTEE VOTER'S TEMPORARY REGISTRATION CARD OF

1 ANY ELECTOR FROM THE DISTRICT REGISTER AS SET FORTH IN SECTION
2 1302.2 SHALL INCLUDE ONLY SUCH APPLICATIONS AND EMERGENCY
3 APPLICATIONS AS ARE RECEIVED ON OR BEFORE THE FIRST TUESDAY
4 PRIOR TO THE PRIMARY OR ELECTION. IN ALL CASES WHERE
5 APPLICATIONS ARE RECEIVED AFTER THE FIRST TUESDAY PRIOR TO THE
6 PRIMARY OR ELECTION AND BEFORE EIGHT O'CLOCK P.M. ON THE DAY OF
7 THE PRIMARY OR ELECTION, THE COUNTY BOARD OF ELECTIONS SHALL
8 DETERMINE THE QUALIFICATIONS OF SUCH APPLICANT BY VERIFYING THE
9 PROOF OF IDENTIFICATION AND COMPARING THE INFORMATION SET FORTH
10 ON SUCH APPLICATION WITH THE INFORMATION CONTAINED ON THE
11 APPLICANT'S DUPLICATE REGISTRATION CARD ON FILE IN THE GENERAL
12 REGISTER (ALSO REFERRED TO AS THE MASTER FILE) IN THE OFFICE OF
13 THE REGISTRATION COMMISSION AND SHALL CAUSE THE NAME AND
14 RESIDENCE (AND AT PRIMARIES, THE PARTY ENROLLMENT) TO BE
15 INSERTED IN THE MILITARY, VETERANS AND EMERGENCY CIVILIAN
16 ABSENTEE VOTERS FILE AS PROVIDED IN SECTION 1302.3, SUBSECTION
17 (B).] FIVE O'CLOCK P.M. ON THE FRIDAY PRIOR TO THE ELECTION, OR <--
18 DURING THE PRE CANVASSING OF AN ELECTOR'S ABSENTEE BALLOT,
19 WHICHEVER IS EARLIER: PROVIDED, HOWEVER, THAT A CHALLENGE TO AN
20 APPLICATION FOR AN ABSENTEE BALLOT SHALL NOT BE PERMITTED ON THE
21 GROUND THAT THE ELECTOR USED AN APPLICATION FOR AN ABSENTEE
22 BALLOT INSTEAD OF AN APPLICATION FOR A MAIL-IN BALLOT OR ON THE
23 GROUND THAT THE ELECTOR USED AN APPLICATION FOR A MAIL-IN
24 BALLOT INSTEAD OF AN APPLICATION FOR AN ABSENTEE BALLOT.

25 * * *

26 [(E) THE ABSENTEE VOTER'S TEMPORARY REGISTRATION CARD SHALL
27 BE IN DUPLICATE AND THE SAME SIZE AS THE PERMANENT REGISTRATION
28 CARD, IN A DIFFERENT AND CONTRASTING COLOR TO THE PERMANENT
29 REGISTRATION CARD AND SHALL CONTAIN THE ABSENTEE VOTER'S NAME
30 AND ADDRESS AND SHALL CONSPICUOUSLY CONTAIN THE WORDS "ABSENTEE

1 VOTER."]

2 * * *

3 SECTION 1302.3. ABSENTEE AND MAIL-IN ELECTORS FILES AND
4 LISTS.-- [(A) THE COUNTY BOARD OF ELECTIONS SHALL MAINTAIN AT
5 ITS OFFICE A FILE CONTAINING THE DUPLICATE ABSENTEE VOTER'S
6 TEMPORARY REGISTRATION CARDS OF EVERY REGISTERED ELECTOR TO WHOM
7 AN ABSENTEE BALLOT HAS BEEN SENT. SUCH DUPLICATE ABSENTEE
8 VOTER'S TEMPORARY REGISTRATION CARDS SHALL BE FILED BY ELECTION
9 DISTRICTS AND WITHIN EACH ELECTION DISTRICT IN EXACT
10 ALPHABETICAL ORDER AND INDEXED. THE REGISTRATION CARDS AND THE
11 REGISTRATION CARDS UNDER SECTION 1302.3-D SO FILED SHALL
12 CONSTITUTE THE REGISTERED ABSENTEE AND MAIL-IN VOTERS FILE FOR
13 THE PRIMARY OR ELECTION OF (DATE OF PRIMARY OR ELECTION) AND
14 SHALL BE KEPT ON FILE FOR A PERIOD COMMENCING THE TUESDAY PRIOR
15 TO THE DAY OF THE PRIMARY OR ELECTION UNTIL THE DAY FOLLOWING
16 THE PRIMARY OR ELECTION OR THE DAY THE COUNTY BOARD OF ELECTIONS
17 CERTIFIES THE RETURNS OF THE PRIMARY OR ELECTION, WHICHEVER DATE
18 IS LATER. SUCH FILE SHALL BE OPEN TO PUBLIC INSPECTION AT ALL
19 TIMES SUBJECT TO REASONABLE SAFEGUARDS, RULES AND REGULATIONS.]

20 * * *

21 SECTION 9. SECTION 1303(A) AND (E), AMENDED OCTOBER 31, 2019
22 (P.L.552, NO.77) AND NOVEMBER 27, 2019 (P.L.673, NO.94), ARE
23 AMENDED TO READ:

24 SECTION 1303. OFFICIAL ABSENTEE VOTERS BALLOTS.-- (A) IN
25 DISTRICTS IN WHICH BALLOTS ARE USED, THE BALLOTS FOR USE BY SUCH
26 ABSENTEE ELECTORS UNDER THE PROVISIONS OF THIS ACT SHALL BE THE
27 OFFICIAL BALLOTS PRINTED IN ACCORDANCE WITH SECTIONS 1002 AND
28 1003: PROVIDED, HOWEVER, THAT THE COUNTY BOARD OF ELECTIONS WHEN
29 [DETACHING] PREPARING THE OFFICIAL BALLOTS FOR ABSENTEE ELECTORS
30 SHALL BE REQUIRED TO TRACK THE NAME OF THE APPLICANT TO WHICH A

1 BALLOT IS BEING SENT. THE COUNTY BOARD OF ELECTIONS SHALL ALSO
2 BE REQUIRED TO PRINT, STAMP OR ENDORSE [IN RED COLOR] UPON SUCH
3 OFFICIAL BALLOTS THE WORDS, OFFICIAL ABSENTEE BALLOT. SUCH
4 BALLOTS SHALL BE DISTRIBUTED BY SUCH BOARDS AS HEREINAFTER
5 PROVIDED.

6 * * *

7 (E) THE OFFICIAL ABSENTEE VOTER BALLOT SHALL STATE THAT [A
8 VOTER] AN ELECTOR WHO RECEIVES AN ABSENTEE BALLOT PURSUANT TO
9 SECTION 1301 AND WHOSE VOTED BALLOT IS NOT TIMELY RECEIVED BY
10 THE COMMISSION AND WHO, ON ELECTION DAY, IS CAPABLE OF VOTING AT
11 THE APPROPRIATE POLLING PLACE MAY ONLY VOTE ON ELECTION DAY BY
12 PROVISIONAL BALLOT[.] UNLESS THE ELECTOR BRINGS THE ELECTOR'S
13 ABSENTEE BALLOT TO THE ELECTOR'S POLLING PLACE, REMITS THE
14 BALLOT AND THE ENVELOPE CONTAINING THE DECLARATION OF THE
15 ELECTOR TO THE JUDGE OF ELECTIONS TO BE SPOILED AND SIGNS A
16 STATEMENT SUBJECT TO THE PENALTIES UNDER 18 PA.C.S. § 4904
17 (RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES) TO THE SAME
18 EFFECT.

19 SECTION 10. SECTION 1304 OF THE ACT IS AMENDED TO READ:

20 SECTION 1304. ENVELOPES FOR OFFICIAL ABSENTEE BALLOTS.--

21 THE COUNTY BOARDS OF ELECTION SHALL PROVIDE TWO ADDITIONAL
22 ENVELOPES FOR EACH OFFICIAL ABSENTEE BALLOT OF SUCH SIZE AND
23 SHAPE AS SHALL BE PRESCRIBED BY THE SECRETARY OF THE
24 COMMONWEALTH, IN ORDER TO PERMIT THE PLACING OF ONE WITHIN THE
25 OTHER AND BOTH WITHIN THE MAILING ENVELOPE. ON THE SMALLER OF
26 THE TWO ENVELOPES TO BE ENCLOSED IN THE MAILING ENVELOPE SHALL
27 BE PRINTED, STAMPED OR ENDORSED THE WORDS "OFFICIAL [ABSENTEE]
28 ELECTION BALLOT," AND NOTHING ELSE. ON THE LARGER OF THE TWO
29 ENVELOPES, TO BE ENCLOSED WITHIN THE MAILING ENVELOPE, SHALL BE
30 PRINTED THE FORM OF THE DECLARATION OF THE ELECTOR, AND THE NAME

1 AND ADDRESS OF THE COUNTY BOARD OF ELECTION OF THE PROPER
2 COUNTY. THE LARGER ENVELOPE SHALL ALSO CONTAIN INFORMATION
3 INDICATING THE LOCAL ELECTION DISTRICT OF THE ABSENTEE VOTER.
4 SAID FORM OF DECLARATION AND ENVELOPE SHALL BE AS PRESCRIBED BY
5 THE SECRETARY OF THE COMMONWEALTH AND SHALL CONTAIN AMONG OTHER
6 THINGS A STATEMENT OF THE ELECTORS QUALIFICATIONS, TOGETHER WITH
7 A STATEMENT THAT SUCH ELECTOR HAS NOT ALREADY VOTED IN SUCH
8 PRIMARY OR ELECTION. THE MAILING ENVELOPE ADDRESSED TO THE
9 ELECTOR SHALL CONTAIN THE TWO ENVELOPES, THE OFFICIAL ABSENTEE
10 BALLOT, LISTS OF CANDIDATES, WHEN AUTHORIZED BY SECTION 1303
11 SUBSECTION (B) OF THIS ACT, THE UNIFORM INSTRUCTIONS IN FORM AND
12 SUBSTANCE AS PRESCRIBED BY THE SECRETARY OF THE COMMONWEALTH AND
13 NOTHING ELSE. [: PROVIDED, HOWEVER, THAT ENVELOPES FOR ELECTORS
14 QUALIFIED UNDER PRECEDING SECTION 1301, SUBSECTIONS (A) TO (H),
15 INCLUSIVE, SHALL HAVE PRINTED ACROSS THE FACE OF EACH
16 TRANSMITTAL OR RETURN ENVELOPE TWO PARALLEL HORIZONTAL RED BARS,
17 EACH ONE-QUARTER INCH WIDE, EXTENDING FROM ONE SIDE OF THE
18 ENVELOPE TO THE OTHER SIDE, WITH AN INTERVENING SPACE OF ONE-
19 QUARTER INCH, THE TOP BAR TO BE ONE AND ONE-QUARTER INCHES FROM
20 THE TOP OF THE ENVELOPE AND WITH THE WORDS "OFFICIAL ELECTION
21 BALLOTING MATERIAL VIA AIR MAIL" BETWEEN THE BARS; THAT THERE BE
22 PRINTED, IN THE UPPER RIGHT CORNER OF EACH SUCH ENVELOPE IN A
23 BOX, THE WORDS "FREE OF U. S. POSTAGE, INCLUDING AIR MAIL;" THAT
24 ALL PRINTING ON THE FACE OF EACH SUCH ENVELOPE BE IN RED, AND
25 THAT THERE BE PRINTED IN RED, IN THE UPPER LEFT CORNER OF EACH
26 SUCH ENVELOPE, THE NAME AND ADDRESS OF THE COUNTY BOARD OF
27 ELECTIONS OF THE PROPER COUNTY OR BLANK LINES FOR RETURN ADDRESS
28 OF THE SENDER:

29 PROVIDED FURTHER, THAT THE AFORESAID ENVELOPE ADDRESSED TO
30 THE ELECTOR MAY CONTAIN ABSENTEE REGISTRATION FORMS WHERE

1 REQUIRED, AND SHALL CONTAIN DETAILED INSTRUCTIONS ON THE
2 PROCEDURES TO BE OBSERVED IN CASTING AN ABSENTEE BALLOT AS
3 PRESCRIBED BY THE SECRETARY OF THE COMMONWEALTH, TOGETHER WITH
4 RETURN ENVELOPE UPON WHICH IS PRINTED THE NAME AND ADDRESS OF
5 THE REGISTRATION COMMISSION OF THE PROPER COUNTY, WHICH ENVELOPE
6 SHALL HAVE PRINTED ACROSS THE FACE TWO PARALLEL HORIZONTAL RED
7 BARS, EACH ONE-QUARTER INCH WIDE, EXTENDING FROM ONE SIDE OF THE
8 ENVELOPE TO THE OTHER SIDE, WITH AN INTERVENING SPACE OF ONE-
9 QUARTER INCH, THE TOP BAR TO BE ONE AND ONE-QUARTER INCHES FROM
10 THE TOP OF THE ENVELOPE AND WITH THE WORDS "OFFICIAL ELECTION
11 BALLOTING MATERIAL VIA AIR MAIL" BETWEEN THE BARS; THAT THERE BE
12 PRINTED IN THE UPPER RIGHT CORNER OF EACH SUCH ENVELOPE IN A BOX
13 THE WORDS "FREE OF U. S. POSTAGE, INCLUDING AIR MAIL," AND, IN
14 THE UPPER LEFT CORNER OF EACH SUCH ENVELOPE, BLANK LINES FOR
15 RETURN ADDRESS OF THE SENDER; THAT ALL PRINTING ON THE FACE OF
16 EACH SUCH ENVELOPE BE IN RED.]

17 SECTION 11. SECTIONS 1306(A) INTRODUCTORY PARAGRAPH AND (B),
18 1308(G) AND 1309(C) OF THE ACT, AMENDED OR ADDED OCTOBER 31,
19 2019 (P.L.552, NO.77), ARE AMENDED TO READ::

20 SECTION 1306. VOTING BY ABSENTEE ELECTORS.--(A) EXCEPT AS
21 PROVIDED IN PARAGRAPHS (2) AND (3), AT ANY TIME AFTER RECEIVING
22 AN OFFICIAL ABSENTEE BALLOT, BUT ON OR BEFORE EIGHT O'CLOCK P.M.
23 THE DAY OF THE PRIMARY OR ELECTION, THE ELECTOR SHALL, IN
24 SECRET, PROCEED TO MARK THE BALLOT ONLY IN BLACK LEAD PENCIL,
25 INDELIBLE PENCIL OR BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN
26 PEN OR BALL POINT PEN, AND THEN FOLD THE BALLOT, ENCLOSE AND
27 SECURELY SEAL THE SAME IN THE ENVELOPE ON WHICH IS PRINTED,
28 STAMPED OR ENDORSED "OFFICIAL [ABSENTEE] ELECTION BALLOT." THIS
29 ENVELOPE SHALL THEN BE PLACED IN THE SECOND ONE, ON WHICH IS
30 PRINTED THE FORM OF DECLARATION OF THE ELECTOR, AND THE ADDRESS

1 OF THE ELECTOR'S COUNTY BOARD OF ELECTION AND THE LOCAL ELECTION
2 DISTRICT OF THE ELECTOR. THE ELECTOR SHALL THEN FILL OUT, DATE
3 AND SIGN THE DECLARATION PRINTED ON SUCH ENVELOPE. SUCH ENVELOPE
4 SHALL THEN BE SECURELY SEALED AND THE ELECTOR SHALL SEND SAME BY
5 MAIL, POSTAGE PREPAID, EXCEPT WHERE FRANKED, OR DELIVER IT IN
6 PERSON TO SAID COUNTY BOARD OF ELECTION.

7 * * *

8 (B) (1) ANY ELECTOR WHO RECEIVES AND VOTES AN ABSENTEE
9 BALLOT PURSUANT TO SECTION 1301 SHALL NOT BE ELIGIBLE TO VOTE AT
10 A POLLING PLACE ON ELECTION DAY. THE DISTRICT REGISTER AT EACH
11 POLLING PLACE SHALL CLEARLY IDENTIFY ELECTORS WHO HAVE RECEIVED
12 AND VOTED ABSENTEE BALLOTS AS INELIGIBLE TO VOTE AT THE POLLING
13 PLACE, AND DISTRICT ELECTION OFFICERS SHALL NOT PERMIT ELECTORS
14 WHO VOTED AN ABSENTEE BALLOT TO VOTE AT THE POLLING PLACE.

15 (2) AN ELECTOR WHO REQUESTS AN ABSENTEE BALLOT AND WHO IS
16 NOT SHOWN ON THE DISTRICT REGISTER AS HAVING VOTED THE BALLOT
17 MAY VOTE BY PROVISIONAL BALLOT UNDER SECTION 1210(A.4) (1).

18 (3) NOTWITHSTANDING PARAGRAPH (2), AN ELECTOR WHO REQUESTS
19 AN ABSENTEE BALLOT AND WHO IS NOT SHOWN ON THE DISTRICT REGISTER
20 AS HAVING VOTED THE BALLOT MAY VOTE AT THE POLLING PLACE IF THE
21 ELECTOR REMITS THE BALLOT AND THE ENVELOPE CONTAINING THE
22 DECLARATION OF THE ELECTOR TO THE JUDGE OF ELECTIONS TO BE
23 SPOILED AND THE ELECTOR SIGNS A STATEMENT SUBJECT TO THE
24 PENALTIES UNDER 18 PA.C.S. § 4904 (RELATING TO UNSWORN
25 FALSIFICATION TO AUTHORITIES) IN SUBSTANTIALLY THE FOLLOWING
26 FORM:

27 I HEREBY DECLARE THAT I AM A QUALIFIED REGISTERED ELECTOR WHO
28 HAS OBTAINED AN ABSENTEE BALLOT OR MAIL-IN BALLOT. I FURTHER
29 DECLARE THAT I HAVE NOT CAST MY ABSENTEE BALLOT OR MAIL-IN
30 BALLOT, AND THAT INSTEAD I REMITTED MY ABSENTEE BALLOT OR

1 MAIL-IN BALLOT AND THE ENVELOPE CONTAINING THE DECLARATION OF
2 THE ELECTOR TO THE JUDGE OF ELECTIONS AT MY POLLING PLACE TO
3 BE SPOILED AND THEREFORE REQUEST THAT MY ABSENTEE BALLOT OR
4 MAIL-IN BALLOT BE VOIDED.

5 (DATE)

6 (SIGNATURE OF ELECTOR).....(ADDRESS OF ELECTOR)

7 (LOCAL JUDGE OF ELECTIONS)

8 * * *

9 SECTION 1308. CANVASSING OF OFFICIAL ABSENTEE BALLOTS AND
10 MAIL-IN BALLOTS.--* * *

11 (G) (1) (I) AN ABSENTEE BALLOT CAST BY ANY ABSENTEE
12 ELECTOR AS DEFINED IN SECTION 1301(A), (B), (C), (D), (E), (F),
13 (G) AND (H) SHALL BE CANVASSED IN ACCORDANCE WITH THIS
14 SUBSECTION IF THE BALLOT IS CAST, SUBMITTED AND RECEIVED IN
15 ACCORDANCE WITH THE PROVISIONS OF 25 PA.C.S. CH. 35 (RELATING TO
16 UNIFORM MILITARY AND OVERSEAS VOTERS).

17 (II) AN ABSENTEE BALLOT CAST BY ANY ABSENTEE ELECTOR AS
18 DEFINED IN SECTION 1301(I), (J), (K), (L), (M) AND (N), AN
19 ABSENTEE BALLOT UNDER SECTION 1302(A.3) OR A MAIL-IN BALLOT CAST
20 BY A MAIL-IN ELECTOR SHALL BE CANVASSED IN ACCORDANCE WITH THIS
21 SUBSECTION IF THE ABSENTEE BALLOT OR MAIL-IN BALLOT IS RECEIVED
22 IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS NO LATER THAN
23 EIGHT O'CLOCK P.M. ON THE DAY OF THE PRIMARY OR ELECTION.

24 (1.1) THE COUNTY BOARD OF ELECTIONS SHALL MEET NO EARLIER
25 THAN SEVEN O'CLOCK A.M. ON ELECTION DAY TO PRE-CANVASS ALL
26 BALLOTS RECEIVED PRIOR TO THE MEETING. A COUNTY BOARD OF
27 ELECTIONS SHALL PROVIDE AT LEAST FORTY-EIGHT HOURS' NOTICE OF A
28 PRE-CANVASS MEETING BY PUBLICLY POSTING A NOTICE OF A PRE-
29 CANVASS MEETING ON ITS PUBLICLY ACCESSIBLE INTERNET WEBSITE. ONE
30 AUTHORIZED REPRESENTATIVE OF EACH CANDIDATE IN AN ELECTION AND

1 ONE REPRESENTATIVE FROM EACH POLITICAL PARTY SHALL BE PERMITTED
2 TO REMAIN IN THE ROOM IN WHICH THE ABSENTEE BALLOTS AND MAIL-IN
3 BALLOTS ARE PRE-CANVASSED. NO PERSON OBSERVING, ATTENDING OR
4 PARTICIPATING IN A PRE-CANVASS MEETING MAY DISCLOSE THE RESULTS
5 OF ANY PORTION OF ANY PRE-CANVASS MEETING PRIOR TO THE CLOSE OF
6 THE POLLS.

7 (2) THE COUNTY BOARD OF ELECTIONS SHALL MEET NO EARLIER THAN
8 THE CLOSE OF POLLS ON THE DAY OF THE ELECTION AND NO LATER THAN
9 THE THIRD DAY FOLLOWING THE ELECTION TO BEGIN CANVASSING [THE]
10 ABSENTEE BALLOTS AND MAIL-IN BALLOTS [RECEIVED UNDER THIS <--
11 SUBSECTION AND SUBSECTION (H) (2).] ~~FOLLOWING THE FINAL PRE~~ <--
12 ~~CANVASS MEETING AND ANY BALLOTS RECEIVED PRIOR TO THE COMPLETION~~
13 ~~OF THE FINAL PRE CANVASS MEETING, BUT NOT INCLUDED IN THE PRE-~~
14 ~~CANVASS PROCESS MEETING. THE MEETING UNDER THIS PARAGRAPH SHALL~~ <--
15 ~~CONTINUE UNTIL ALL ABSENTEE BALLOTS AND MAIL-IN BALLOTS RECEIVED~~
16 ~~PRIOR TO THE CLOSE OF THE POLLS HAVE BEEN CANVASSED. THE COUNTY~~
17 ~~BOARD OF ELECTIONS SHALL NOT RECORD OR PUBLISH ANY VOTES~~
18 ~~REFLECTED ON THE BALLOTS PRIOR TO THE CLOSE OF THE POLLS. THE~~
19 ~~CANVASS PROCESS SHALL CONTINUE THROUGH THE EIGHTH DAY FOLLOWING~~
20 ~~THE ELECTION[.] FOR VALID MILITARY-OVERSEAS BALLOTS TIMELY~~
21 ~~RECEIVED UNDER 25 PA.C.S. § 3511 (RELATING TO RECEIPT OF VOTED~~
22 ~~BALLOT). A COUNTY BOARD OF ELECTIONS SHALL PROVIDE AT LEAST~~
23 ~~FORTY-EIGHT HOURS' NOTICE OF A CANVASS MEETING BY PUBLICLY~~
24 ~~POSTING A NOTICE OF A PRE CANVASS MEETING ON ITS PUBLICLY~~ <--
25 ~~ACCESSIBLE INTERNET WEBSITE. ONE AUTHORIZED REPRESENTATIVE OF~~
26 ~~EACH CANDIDATE IN AN ELECTION AND ONE REPRESENTATIVE FROM EACH~~
27 ~~POLITICAL PARTY SHALL BE PERMITTED TO REMAIN IN THE ROOM IN~~
28 ~~WHICH THE ABSENTEE BALLOTS AND MAIL-IN BALLOTS ARE CANVASSED.~~
29 [REPRESENTATIVES SHALL BE PERMITTED TO CHALLENGE ANY ABSENTEE
30 ELECTOR OR MAIL-IN ELECTOR IN ACCORDANCE WITH THE PROVISIONS OF

1 ~~PARAGRAPH (3).] NO PERSON OBSERVING, ATTENDING OR PARTICIPATING <--~~
2 ~~IN A CANVASS MEETING MAY DISCLOSE THE RESULTS OF ANY PORTION OF~~
3 ~~A CANVASS MEETING PRIOR TO THE CLOSE OF THE POLLS.~~

4 (3) WHEN THE COUNTY BOARD MEETS TO PRE-CANVASS OR CANVASS
5 ABSENTEE BALLOTS AND MAIL-IN BALLOTS UNDER [PARAGRAPH]
6 PARAGRAPHS (1), (1.1) AND (2), THE BOARD SHALL EXAMINE THE
7 DECLARATION ON THE ENVELOPE OF EACH BALLOT NOT SET ASIDE UNDER
8 SUBSECTION (D) AND SHALL COMPARE THE INFORMATION THEREON WITH
9 THAT CONTAINED IN THE "REGISTERED ABSENTEE AND MAIL-IN VOTERS
10 FILE," THE ABSENTEE VOTERS' LIST AND/OR THE "MILITARY VETERANS
11 AND EMERGENCY CIVILIANS ABSENTEE VOTERS FILE," WHICHEVER IS
12 APPLICABLE. IF THE COUNTY BOARD HAS VERIFIED THE PROOF OF
13 IDENTIFICATION AS REQUIRED UNDER THIS ACT AND IS SATISFIED THAT
14 THE DECLARATION IS SUFFICIENT AND THE INFORMATION CONTAINED IN
15 THE "REGISTERED ABSENTEE AND MAIL-IN VOTERS FILE," THE ABSENTEE
16 VOTERS' LIST AND/OR THE "MILITARY VETERANS AND EMERGENCY
17 CIVILIANS ABSENTEE VOTERS FILE" VERIFIES HIS RIGHT TO VOTE, THE
18 COUNTY BOARD SHALL [ANNOUNCE THE NAME OF THE ELECTOR AND SHALL
19 GIVE ANY CANDIDATE REPRESENTATIVE OR PARTY REPRESENTATIVE
20 PRESENT AN OPPORTUNITY TO CHALLENGE ANY ABSENTEE ELECTOR OR
21 MAIL-IN ELECTOR UPON THE GROUND OR GROUNDS: (I) THAT THE
22 ABSENTEE ELECTOR OR MAIL-IN ELECTOR IS NOT A QUALIFIED ELECTOR;
23 OR (III) THAT THE ABSENTEE ELECTOR WAS ABLE TO APPEAR PERSONALLY
24 AT THE POLLING PLACE ON THE DAY OF THE PRIMARY OR ELECTION
25 DURING THE PERIOD THE POLLS WERE OPEN IN THE CASE HIS BALLOT WAS
26 OBTAINED FOR THE REASON THAT HE WAS UNABLE TO APPEAR PERSONALLY
27 AT THE POLLING PLACE BECAUSE OF ILLNESS OR PHYSICAL DISABILITY.
28 UPON CHALLENGE OF ANY ABSENTEE ELECTOR, AS SET FORTH HEREIN, THE
29 BOARD SHALL MARK "CHALLENGED" ON THE ENVELOPE TOGETHER WITH THE
30 REASONS THEREFOR, AND THE SAME SHALL BE SET ASIDE UNOPENED

1 PENDING FINAL DETERMINATION OF THE CHALLENGE ACCORDING TO THE
2 PROCEDURE DESCRIBED IN PARAGRAPH (5).] PROVIDE A LIST OF THE
3 NAMES OF ELECTORS WHOSE ABSENTEE BALLOTS OR MAIL-IN BALLOTS ARE
4 TO BE PRE-CANVASSED OR CANVASSED.

5 (4) ALL ABSENTEE BALLOTS [AND MAIL-IN BALLOTS NOT CHALLENGED
6 FOR ANY OF THE REASONS PROVIDED IN] WHICH HAVE NOT BEEN
7 CHALLENGED UNDER SECTION 1302.2(C) AND ALL MAIL-IN BALLOTS WHICH
8 HAVE NOT BEEN CHALLENGED UNDER SECTION 1302.2-D(A) (2) AND THAT
9 HAVE BEEN VERIFIED UNDER PARAGRAPH (3) SHALL BE COUNTED AND
10 INCLUDED WITH THE RETURNS OF THE APPLICABLE ELECTION DISTRICT AS
11 FOLLOWS:

12 (I) THE COUNTY BOARD SHALL OPEN THE ENVELOPE OF EVERY
13 UNCHALLENGED ABSENTEE ELECTOR AND MAIL-IN ELECTOR IN SUCH MANNER
14 AS NOT TO DESTROY THE DECLARATION EXECUTED THEREON.

15 (II) IF ANY OF THE ENVELOPES ON WHICH ARE PRINTED, STAMPED
16 OR ENDORSED THE WORDS "OFFICIAL [ABSENTEE] ELECTION BALLOT" [OR
17 "OFFICIAL MAIL-IN BALLOT"] CONTAIN ANY [EXTRANEIOUS MARKS OR
18 IDENTIFYING SYMBOLS,] TEXT, MARK OR SYMBOL WHICH REVEALS THE
19 IDENTITY OF THE ELECTOR, THE ELECTOR'S POLITICAL AFFILIATION OR
20 THE ELECTOR'S CANDIDATE PREFERENCE, THE ENVELOPES AND THE
21 BALLOTS CONTAINED THEREIN SHALL BE SET ASIDE AND DECLARED VOID.

22 (III) THE COUNTY BOARD SHALL THEN BREAK THE SEALS OF SUCH
23 ENVELOPES, REMOVE THE BALLOTS AND [RECORD THE VOTES.] COUNT,
24 COMPUTE AND TALLY THE VOTES.

25 (IV) FOLLOWING THE CLOSE OF THE POLLS, THE COUNTY BOARD
26 SHALL RECORD AND PUBLISH THE VOTES REFLECTED ON THE BALLOTS.

27 (5) [WITH RESPECT TO THE CHALLENGED BALLOTS, THEY] BALLOTS
28 RECEIVED WHOSE APPLICATIONS HAVE BEEN CHALLENGED AND BALLOTS
29 WHICH HAVE BEEN CHALLENGED SHALL BE PLACED UNOPENED IN A SECURE,
30 SAFE AND SEALED CONTAINER IN THE CUSTODY OF THE COUNTY BOARD

1 UNTIL IT SHALL FIX A TIME AND PLACE FOR A FORMAL HEARING OF ALL
2 SUCH CHALLENGES, AND NOTICE SHALL BE GIVEN WHERE POSSIBLE TO ALL
3 ABSENTEE ELECTORS AND MAIL-IN ELECTORS THUS CHALLENGED AND TO
4 EVERY INDIVIDUAL WHO MADE A CHALLENGE. THE TIME FOR THE HEARING
5 SHALL NOT BE LATER THAN [FIVE (5)] SEVEN (7) DAYS AFTER THE
6 [DATE OF THE CHALLENGE] DEADLINE FOR ALL CHALLENGES TO BE FILED.
7 ON THE DAY FIXED FOR SAID HEARING, THE COUNTY BOARD SHALL
8 PROCEED WITHOUT DELAY TO HEAR SAID CHALLENGES, AND, IN HEARING
9 THE TESTIMONY, THE COUNTY BOARD SHALL NOT BE BOUND BY THE
10 PENNSYLVANIA RULES OF EVIDENCE. THE TESTIMONY PRESENTED SHALL BE
11 STENOGRAPHICALLY RECORDED AND MADE PART OF THE RECORD OF THE
12 HEARING.

13 (6) THE DECISION OF THE COUNTY BOARD IN UPHOLDING OR
14 DISMISSING ANY CHALLENGE MAY BE REVIEWED BY THE COURT OF COMMON
15 PLEAS OF THE COUNTY UPON A PETITION FILED BY ANY PERSON
16 AGGRIEVED BY THE DECISION OF THE COUNTY BOARD. THE APPEAL SHALL
17 BE TAKEN, WITHIN TWO (2) DAYS AFTER THE DECISION WAS MADE,
18 WHETHER THE DECISION WAS REDUCED TO WRITING OR NOT, TO THE COURT
19 OF COMMON PLEAS SETTING FORTH THE OBJECTIONS TO THE COUNTY
20 BOARD'S DECISION AND PRAYING FOR AN ORDER REVERSING THE
21 DECISION.

22 (7) PENDING THE FINAL DETERMINATION OF ALL APPEALS, THE
23 COUNTY BOARD SHALL SUSPEND ANY ACTION IN CANVASSING AND
24 COMPUTING ALL CHALLENGED BALLOTS RECEIVED UNDER THIS SUBSECTION
25 IRRESPECTIVE OF WHETHER OR NOT APPEAL WAS TAKEN FROM THE COUNTY
26 BOARD'S DECISION. UPON COMPLETION OF THE COMPUTATION OF THE
27 RETURNS OF THE COUNTY, THE VOTES CAST UPON THE CHALLENGED
28 OFFICIAL ABSENTEE BALLOTS THAT HAVE BEEN FINALLY DETERMINED TO
29 BE VALID SHALL BE ADDED TO THE OTHER VOTES CAST WITHIN THE
30 COUNTY.

1 * * *

2 SECTION 1309. PUBLIC RECORDS.--* * *

3 (C) THE COUNTY BOARD SHALL COMPILE THE RECORDS LISTED UNDER
4 SUBSECTION (B) AND MAKE THE RECORDS PUBLICLY AVAILABLE UPON
5 REQUEST WITHIN FORTY-EIGHT HOURS OF THE REQUEST.

6 SECTION 12. SECTION 1331 OF THE ACT IS REPEALED:

7 [SECTION 1331. VIOLATION OF PROVISIONS RELATING TO ABSENTEE
8 VOTING.--(A) EXCEPT AS PROVIDED IN SUBSECTION (B), ANY PERSON
9 WHO SHALL VIOLATE ANY OF THE PROVISIONS OF THIS ACT RELATING TO
10 ABSENTEE VOTING SHALL, UNLESS OTHERWISE PROVIDED, BE SUBJECT TO
11 THE PENALTIES PROVIDED FOR IN SECTION 1850 OF THIS ACT.]

12 (B) ANY PERSON WHO KNOWINGLY ASSISTS ANOTHER PERSON WHO IS
13 NOT A QUALIFIED ABSENTEE ELECTOR IN FILLING OUT AN ABSENTEE
14 BALLOT APPLICATION OR ABSENTEE BALLOT COMMITS A MISDEMEANOR OF
15 THE THIRD DEGREE.]

16 SECTION 12.1. SECTIONS, 1301-D(A), 1302-D(F) AND (G),
17 1302.2-D(A) (2), (3), (4) AND (5), (B) AND (D) AND 1302.3-D OF
18 THE ACT, ADDED OCTOBER 31, 2019 (P.L.552, NO.77), ARE AMENDED TO
19 READ:

20 SECTION 1301-D. QUALIFIED MAIL-IN ELECTORS.

21 (A) GENERAL RULE.--[THE FOLLOWING INDIVIDUALS] A QUALIFIED
22 MAIL-IN ELECTOR SHALL BE ENTITLED TO VOTE BY AN OFFICIAL MAIL-IN
23 BALLOT IN ANY PRIMARY OR ELECTION HELD IN THIS COMMONWEALTH IN
24 THE MANNER PROVIDED UNDER THIS ARTICLE.[:

25 (1) ANY QUALIFIED ELECTOR WHO IS NOT ELIGIBLE TO BE A
26 QUALIFIED ABSENTEE ELECTOR UNDER ARTICLE XIII.

27 (2) (RESERVED).]

28 * * *

29 SECTION 1302-D. APPLICATIONS FOR OFFICIAL MAIL-IN BALLOTS.

30 * * *

1 (F) FORM.--APPLICATION FOR AN OFFICIAL MAIL-IN BALLOT SHALL
2 BE ON PHYSICAL AND ELECTRONIC FORMS PRESCRIBED BY THE SECRETARY
3 OF THE COMMONWEALTH. THE APPLICATION SHALL STATE THAT A VOTER
4 WHO [RECEIVES AND VOTES] APPLIES FOR A MAIL-IN BALLOT UNDER
5 SECTION 1301-D SHALL NOT BE ELIGIBLE TO VOTE AT A POLLING PLACE
6 ON ELECTION DAY[.] UNLESS THE ELECTOR BRINGS THE ELECTOR'S MAIL-
7 IN BALLOT TO THE ELECTOR'S POLLING PLACE, REMITS THE BALLOT AND
8 THE ENVELOPE CONTAINING THE DECLARATION OF THE ELECTOR TO THE
9 JUDGE OF ELECTIONS TO BE SPOILED AND SIGNS A STATEMENT SUBJECT
10 TO THE PENALTIES UNDER 18 PA.C.S. § 4904 (RELATING TO UNSWORN
11 FALSIFICATION TO AUTHORITIES) TO THE SAME EFFECT. THE PHYSICAL
12 APPLICATION FORMS SHALL BE MADE FREELY AVAILABLE TO THE PUBLIC
13 AT COUNTY BOARD OF ELECTIONS, MUNICIPAL BUILDINGS AND AT OTHER
14 LOCATIONS DESIGNATED BY THE SECRETARY OF THE COMMONWEALTH. THE
15 ELECTRONIC APPLICATION FORMS SHALL BE MADE FREELY AVAILABLE TO
16 THE PUBLIC THROUGH PUBLICLY ACCESSIBLE MEANS. NO WRITTEN
17 APPLICATION OR PERSONAL REQUEST SHALL BE NECESSARY TO RECEIVE OR
18 ACCESS THE APPLICATION FORMS. COPIES AND RECORDS OF ALL
19 COMPLETED PHYSICAL AND ELECTRONIC APPLICATIONS FOR OFFICIAL
20 MAIL-IN BALLOTS SHALL BE RETAINED BY THE COUNTY BOARD OF
21 ELECTIONS.

22 (G) PERMANENT MAIL-IN VOTING LIST.--

23 (1) ANY QUALIFIED REGISTERED ELECTOR MAY REQUEST TO BE
24 PLACED ON A PERMANENT MAIL-IN BALLOT LIST FILE AT ANY TIME
25 DURING THE CALENDAR YEAR. A MAIL-IN BALLOT APPLICATION SHALL
26 BE MAILED TO EVERY PERSON OTHERWISE ELIGIBLE TO RECEIVE A
27 MAIL-IN BALLOT APPLICATION BY THE FIRST MONDAY IN FEBRUARY
28 EACH YEAR OR WITHIN 48 HOURS OF RECEIPT OF THE REQUEST,
29 WHICHEVER IS LATER, SO LONG AS THE PERSON DOES NOT LOSE THE
30 PERSON'S VOTING RIGHTS BY FAILURE TO VOTE AS OTHERWISE

1 REQUIRED BY THIS ACT. A MAIL-IN BALLOT APPLICATION MAILED TO
2 [A VOTER] AN ELECTOR UNDER THIS SECTION, WHICH IS COMPLETED
3 AND TIMELY RETURNED BY THE [VOTER] ELECTOR, SHALL SERVE AS AN
4 APPLICATION FOR ANY AND ALL PRIMARY, GENERAL OR SPECIAL
5 ELECTIONS TO BE HELD IN THE REMAINDER OF THAT CALENDAR YEAR
6 AND FOR ALL SPECIAL ELECTIONS TO BE HELD BEFORE THE THIRD
7 MONDAY IN FEBRUARY OF THE SUCCEEDING YEAR.

8 (2) THE SECRETARY OF THE COMMONWEALTH MAY DEVELOP AN
9 ELECTRONIC SYSTEM THROUGH WHICH ALL QUALIFIED ELECTORS MAY
10 APPLY FOR A MAIL-IN BALLOT AND REQUEST PERMANENT MAIL-IN
11 VOTER STATUS UNDER THIS SECTION, PROVIDED THE SYSTEM IS ABLE
12 TO CAPTURE A DIGITIZED OR ELECTRONIC SIGNATURE OF THE
13 APPLICANT. A COUNTY BOARD OF ELECTIONS SHALL TREAT AN
14 APPLICATION OR REQUEST RECEIVED THROUGH THE ELECTRONIC SYSTEM
15 AS IF THE APPLICATION OR REQUEST HAD BEEN SUBMITTED ON A
16 PAPER FORM OR ANY OTHER FORMAT USED BY THE COUNTY.

17 (3) THE TRANSFER OF A QUALIFIED REGISTERED ELECTOR ON A
18 PERMANENT MAIL-IN VOTING LIST FROM ONE COUNTY TO ANOTHER
19 COUNTY SHALL ONLY BE PERMITTED UPON THE REQUEST OF THE <--
20 QUALIFIED REGISTERED ELECTOR.

21 * * *

22 SECTION 1302.2-D. APPROVAL OF APPLICATION FOR MAIL-IN BALLOT.

23 (A) APPROVAL PROCESS.--THE COUNTY BOARD OF ELECTIONS, UPON
24 RECEIPT OF ANY APPLICATION OF A QUALIFIED ELECTOR UNDER SECTION
25 1301-D, SHALL DETERMINE THE QUALIFICATIONS OF THE APPLICANT BY
26 VERIFYING THE PROOF OF IDENTIFICATION AND COMPARING THE
27 INFORMATION PROVIDED ON THE APPLICATION WITH THE INFORMATION
28 CONTAINED ON THE APPLICANT'S PERMANENT REGISTRATION CARD. THE
29 FOLLOWING SHALL APPLY:

30 * * *

1 (2) THE APPROVAL DECISION SHALL BE FINAL AND BINDING,
2 EXCEPT THAT CHALLENGES MAY BE MADE ONLY ON THE GROUNDS THAT
3 THE APPLICANT [DID NOT POSSESS THE QUALIFICATIONS OF A MAIL-
4 IN] WAS NOT A QUALIFIED ELECTOR.

5 (3) CHALLENGES MUST BE MADE TO THE COUNTY BOARD OF
6 ELECTIONS PRIOR TO [THE APPLICABLE DEADLINE FOR THE MAIL-IN
7 BALLOTS TO BE RECEIVED, AS PROVIDED IN SECTION 1308(G).] FIVE
8 O'CLOCK P.M. ON THE FRIDAY PRIOR TO THE ELECTION, ~~OR DURING~~ <--
9 ~~THE PRE CANVASSING OF AN ELECTOR'S MAIL IN BALLOT, WHICHEVER~~
10 ~~IS EARLIER:~~ PROVIDED, HOWEVER, THAT A CHALLENGE TO AN
11 APPLICATION FOR A MAIL-IN BALLOT SHALL NOT BE PERMITTED ON
12 THE GROUNDS THAT THE ELECTOR USED AN APPLICATION FOR A MAIL-
13 IN BALLOT INSTEAD OF AN APPLICATION FOR AN ABSENTEE BALLOT OR
14 ON THE GROUNDS THAT THE ELECTOR USED AN APPLICATION FOR AN
15 ABSENTEE BALLOT INSTEAD OF AN APPLICATION FOR A MAIL-IN
16 BALLOT.

17 (4) WHEN APPROVED, THE REGISTRATION COMMISSION SHALL
18 CAUSE A MAIL-IN VOTER'S [TEMPORARY REGISTRATION CARD] RECORD
19 TO BE INSERTED IN THE DISTRICT REGISTER [ON TOP OF AND ALONG
20 WITH THE PERMANENT REGISTRATION CARD] AS PRESCRIBED BY THE
21 SECRETARY OF THE COMMONWEALTH.

22 [(5) THE MAIL-IN VOTER'S TEMPORARY REGISTRATION CARD
23 SHALL BE IN THE COLOR AND FORM PRESCRIBED UNDER SUBSECTION
24 (D).]

25 (B) DUTIES OF COUNTY BOARDS OF ELECTIONS AND REGISTRATION
26 COMMISSIONS.--THE DUTIES OF THE COUNTY BOARDS OF ELECTIONS AND
27 THE REGISTRATION COMMISSIONS WITH RESPECT TO THE INSERTION OF
28 THE MAIL-IN VOTER'S [TEMPORARY REGISTRATION CARD OF ANY ELECTOR
29 FROM THE DISTRICT REGISTER AS PROVIDED UNDER THIS SECTION]
30 RECORD SHALL INCLUDE ONLY THE APPLICATIONS AS ARE RECEIVED ON OR

1 BEFORE THE FIRST TUESDAY PRIOR TO THE PRIMARY OR ELECTION.

2 * * *

3 [(D) TEMPORARY REGISTRATION CARD.--THE MAIL-IN VOTER'S
4 TEMPORARY REGISTRATION CARD SHALL BE IN DUPLICATE AND THE SAME
5 SIZE AS THE PERMANENT REGISTRATION CARD, IN A DIFFERENT AND
6 CONTRASTING COLOR TO THE PERMANENT REGISTRATION CARD AND SHALL
7 CONTAIN THE MAIL-IN VOTER'S NAME AND ADDRESS AND SHALL
8 CONSPICUOUSLY CONTAIN THE WORDS "MAIL-IN VOTER."]

9 [SECTION 1302.3-D. MAIL-IN ELECTORS FILES AND LISTS.

10 THE COUNTY BOARD OF ELECTIONS SHALL MAINTAIN AT ITS OFFICE A
11 FILE CONTAINING THE DUPLICATE MAIL-IN VOTER'S TEMPORARY
12 REGISTRATION CARDS OF EVERY REGISTERED ELECTOR TO WHOM A MAIL-IN
13 BALLOT HAS BEEN SENT. THE DUPLICATE MAIL-IN VOTER'S TEMPORARY
14 REGISTRATION CARDS SHALL BE FILED BY ELECTION DISTRICTS AND
15 WITHIN EACH ELECTION DISTRICT IN EXACT ALPHABETICAL ORDER AND
16 INDEXED. THE REGISTRATION CARDS FILED SHALL BE INCLUDED IN THE
17 REGISTERED ABSENTEE AND MAIL-IN VOTERS FILE FOR THE PRIMARY OR
18 ELECTION OF (DATE OF PRIMARY OR ELECTION) UNDER SECTION
19 1302.3(A).]

20 SECTION 13. SECTION 1303-D(A.1) AND (E), AMENDED OR ADDED
21 OCTOBER 31, 2019 (P.L.552, NO.77) AND NOVEMBER 27, 2019
22 (P.L.673, NO.94), ARE AMENDED TO READ:

23 SECTION 1303-D. OFFICIAL MAIL-IN ELECTOR BALLOTS.

24 * * *

25 (A.1) DUTIES OF COUNTY BOARDS OF ELECTIONS.--THE COUNTY
26 BOARD OF ELECTIONS, WHEN [DETACHING] PREPARING THE OFFICIAL
27 BALLOTS FOR MAIL-IN VOTERS, SHALL BE REQUIRED TO INDICATE ON
28 [THE STUB OF EACH DETACHED BALLOT THE NAME OF THE APPLICANT TO
29 WHICH THAT PRECISE BALLOT IS BEING SENT.] THE VOTER'S RECORD THE
30 IDENTIFICATION NUMBER OF SPECIFIC BALLOT ENVELOPE INTO WHICH THE

1 VOTER'S BALLOT IS INSERTED. THE COUNTY BOARD OF ELECTIONS SHALL
2 ALSO [REMOVE THE NUMBERED STUB FROM EACH BALLOT AND SHALL]
3 PRINT, STAMP OR ENDORSE [IN RED COLOR] ON THE OFFICIAL BALLOTS
4 THE WORDS, "OFFICIAL MAIL-IN BALLOT." THE BALLOTS SHALL BE
5 DISTRIBUTED BY A BOARD AS PROVIDED UNDER THIS SECTION.

6 * * *

7 (E) NOTICE.--THE OFFICIAL MAIL-IN VOTER BALLOT SHALL STATE
8 THAT A VOTER WHO RECEIVES A MAIL-IN BALLOT UNDER SECTION 1301-D
9 AND WHOSE VOTED MAIL-IN BALLOT IS NOT TIMELY RECEIVED MAY ONLY
10 VOTE ON ELECTION DAY BY PROVISIONAL BALLOT[.] UNLESS THE ELECTOR
11 BRINGS THE ELECTOR'S MAIL-IN BALLOT TO THE ELECTOR'S POLLING
12 PLACE, REMITS THE BALLOT AND THE ENVELOPE CONTAINING THE
13 DECLARATION OF THE ELECTOR TO THE JUDGE OF ELECTIONS TO BE
14 SPOILED AND SIGNS A STATEMENT SUBJECT TO THE PENALTIES OF 18
15 PA.C.S. § 4904 (RELATING TO UNSWORN FALSIFICATION TO
16 AUTHORITIES) TO THE SAME EFFECT.

17 SECTION 14. SECTIONS 1304-D(A), 1305-D, 1306-D(A) AND (B)
18 AND 1307-D(C) OF THE ACT, ADDED OCTOBER 31, 2019 (P.L.552,
19 NO.77), ARE AMENDED TO READ:

20 SECTION 1304-D. ENVELOPES FOR OFFICIAL MAIL-IN BALLOTS.

21 (A) ADDITIONAL ENVELOPES.--THE COUNTY BOARDS OF ELECTION
22 SHALL PROVIDE TWO ADDITIONAL ENVELOPES FOR EACH OFFICIAL MAIL-IN
23 BALLOT OF A SIZE AND SHAPE AS SHALL BE PRESCRIBED BY THE
24 SECRETARY OF THE COMMONWEALTH, IN ORDER TO PERMIT THE PLACING OF
25 ONE WITHIN THE OTHER AND BOTH WITHIN THE MAILING ENVELOPE. ON
26 THE SMALLER OF THE TWO ENVELOPES TO BE ENCLOSED IN THE MAILING
27 ENVELOPE SHALL BE PRINTED, STAMPED OR ENDORSED THE WORDS
28 "OFFICIAL [MAIL-IN] ELECTION BALLOT," AND NOTHING ELSE. ON THE
29 LARGER OF THE TWO ENVELOPES, TO BE ENCLOSED WITHIN THE MAILING
30 ENVELOPE, SHALL BE PRINTED THE FORM OF THE DECLARATION OF THE

1 ELECTOR AND THE NAME AND ADDRESS OF THE COUNTY BOARD OF ELECTION
2 OF THE PROPER COUNTY. THE LARGER ENVELOPE SHALL ALSO CONTAIN
3 INFORMATION INDICATING THE LOCAL ELECTION DISTRICT OF THE MAIL-
4 IN VOTER.

5 * * *

6 SECTION 1305-D. DELIVERING OR MAILING BALLOTS.

7 THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT AND APPROVAL OF
8 AN APPLICATION FILED BY A QUALIFIED ELECTOR UNDER SECTION 1301-
9 D, SHALL COMMENCE TO DELIVER OR MAIL OFFICIAL MAIL-IN BALLOTS
10 AS SOON AS A BALLOT IS CERTIFIED AND THE BALLOTS ARE AVAILABLE.
11 WHILE ANY PROCEEDING IS PENDING IN A FEDERAL OR STATE COURT
12 WHICH WOULD AFFECT THE CONTENTS OF ANY BALLOT, THE COUNTY BOARD
13 OF ELECTIONS MAY AWAIT A RESOLUTION OF THAT PROCEEDING BUT IN
14 ANY EVENT, SHALL COMMENCE TO DELIVER OR MAIL OFFICIAL [ABSENTEE]
15 MAIL-IN BALLOTS NOT LATER THAN THE SECOND TUESDAY PRIOR TO THE
16 PRIMARY OR ELECTION. FOR APPLICANTS WHOSE PROOF OF
17 IDENTIFICATION WAS NOT PROVIDED WITH THE APPLICATION OR COULD
18 NOT BE VERIFIED BY THE BOARD, THE BOARD SHALL SEND THE NOTICE
19 REQUIRED UNDER SECTION 1302.2-D(C) WITH THE MAIL-IN BALLOT. AS
20 ADDITIONAL APPLICATIONS ARE RECEIVED AND APPROVED, THE BOARD
21 SHALL DELIVER OR MAIL OFFICIAL MAIL-IN BALLOTS TO THE ADDITIONAL
22 ELECTORS WITHIN 48 HOURS.

23 SECTION 1306-D. VOTING BY MAIL-IN ELECTORS.

24 (A) GENERAL RULE.--AT ANY TIME AFTER RECEIVING AN OFFICIAL
25 MAIL-IN BALLOT, BUT ON OR BEFORE EIGHT O'CLOCK P.M. THE DAY OF
26 THE PRIMARY OR ELECTION, THE MAIL-IN ELECTOR SHALL, IN SECRET,
27 PROCEED TO MARK THE BALLOT ONLY IN BLACK LEAD PENCIL, INDELIBLE
28 PENCIL OR BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN OR BALL
29 POINT PEN, AND THEN FOLD THE BALLOT, ENCLOSE AND SECURELY SEAL
30 THE SAME IN THE ENVELOPE ON WHICH IS PRINTED, STAMPED OR

1 ENDORSED "OFFICIAL [MAIL-IN] ELECTION BALLOT." THIS ENVELOPE
2 SHALL THEN BE PLACED IN THE SECOND ONE, ON WHICH IS PRINTED THE
3 FORM OF DECLARATION OF THE ELECTOR, AND THE ADDRESS OF THE
4 ELECTOR'S COUNTY BOARD OF ELECTION AND THE LOCAL ELECTION
5 DISTRICT OF THE ELECTOR. THE ELECTOR SHALL THEN FILL OUT, DATE
6 AND SIGN THE DECLARATION PRINTED ON SUCH ENVELOPE. SUCH ENVELOPE
7 SHALL THEN BE SECURELY SEALED AND THE ELECTOR SHALL SEND SAME BY
8 MAIL, POSTAGE PREPAID, EXCEPT WHERE FRANKED, OR DELIVER IT IN
9 PERSON TO SAID COUNTY BOARD OF ELECTION.

10 * * *

11 (B) ELIGIBILITY.--

12 (1) ANY ELECTOR WHO RECEIVES AND VOTES A MAIL-IN BALLOT
13 UNDER SECTION 1301-D SHALL NOT BE ELIGIBLE TO VOTE AT A
14 POLLING PLACE ON ELECTION DAY. THE DISTRICT REGISTER AT EACH
15 POLLING PLACE SHALL CLEARLY IDENTIFY ELECTORS WHO HAVE
16 RECEIVED AND VOTED MAIL-IN BALLOTS AS INELIGIBLE TO VOTE AT
17 THE POLLING PLACE, AND DISTRICT ELECTION OFFICERS SHALL NOT
18 PERMIT ELECTORS WHO VOTED A MAIL-IN BALLOT TO VOTE AT THE
19 POLLING PLACE.

20 (2) AN ELECTOR WHO REQUESTS A MAIL-IN BALLOT AND WHO IS
21 NOT SHOWN ON THE DISTRICT REGISTER AS HAVING VOTED MAY VOTE
22 BY PROVISIONAL BALLOT UNDER SECTION 1210(A.4)(1).

23 (3) NOTWITHSTANDING PARAGRAPH (2), AN ELECTOR WHO
24 REQUESTS A MAIL-IN BALLOT AND WHO IS NOT SHOWN ON THE
25 DISTRICT REGISTER AS HAVING VOTED THE BALLOT MAY VOTE AT THE
26 POLLING PLACE IF THE ELECTOR REMITS THE BALLOT AND THE
27 ENVELOPE CONTAINING THE DECLARATION OF THE ELECTOR TO THE
28 JUDGE OF ELECTIONS TO BE SPOILED AND THE ELECTOR SIGNS A
29 STATEMENT SUBJECT TO THE PENALTIES OF 18 PA.C.S. § 4904
30 (RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES) WHICH

1 SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

2 I HEREBY DECLARE THAT I AM A QUALIFIED REGISTERED ELECTOR
3 WHO HAS OBTAINED AN ABSENTEE BALLOT OR MAIL-IN BALLOT. I
4 FURTHER DECLARE THAT I HAVE NOT CAST MY ABSENTEE BALLOT OR
5 MAIL-IN BALLOT, AND THAT INSTEAD I REMITTED MY ABSENTEE
6 BALLOT OR MAIL-IN BALLOT TO THE JUDGE OF ELECTIONS AT MY
7 POLLING PLACE TO BE SPOILED AND THEREFORE REQUEST THAT MY
8 ABSENTEE BALLOT OR MAIL-IN BALLOT BE VOIDED.

9 (DATE)

10 (SIGNATURE OF ELECTOR) (ADDRESS OF ELECTOR)

11 (LOCAL JUDGE OF ELECTIONS)

12 * * *

13 SECTION 1307-D. PUBLIC RECORDS.

14 * * *

15 (C) COMPILATION.--THE COUNTY BOARD SHALL COMPILE THE RECORDS
16 LISTED UNDER SUBSECTION (B) AND MAKE THE RECORDS PUBLICLY
17 AVAILABLE UPON REQUEST WITHIN 48 HOURS OF THE REQUEST.

18 SECTION 14.1. SECTION 1308-D OF THE ACT IS REPEALED:

19 [SECTION 1308-D. VIOLATION OF PROVISIONS RELATING TO MAIL-IN
20 VOTING.]

21 (A) PENALTIES.--EXCEPT AS PROVIDED UNDER SUBSECTION (B), A
22 PERSON WHO VIOLATES ANY OF THE PROVISIONS OF THIS ACT RELATING
23 TO MAIL-IN VOTING SHALL, UNLESS OTHERWISE PROVIDED, BE SUBJECT
24 TO THE PENALTIES PROVIDED UNDER SECTION 1850.

25 (B) PERSONS NOT QUALIFIED AS MAIL-IN VOTERS.--A PERSON WHO
26 KNOWINGLY ASSISTS ANOTHER PERSON WHO IS NOT A QUALIFIED MAIL-IN
27 VOTER IN FILLING OUT A MAIL-IN BALLOT APPLICATION OR MAIL-IN
28 BALLOT COMMITS A MISDEMEANOR OF THE THIRD DEGREE.]

29 SECTION 15. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

30 ARTICLE XIII-E

1 PENNSYLVANIA ELECTION LAW ADVISORY BOARD

2 SECTION 1301-E. DEFINITIONS.

3 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
4 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
5 CONTEXT CLEARLY INDICATES OTHERWISE:

6 "BOARD." THE PENNSYLVANIA ELECTION LAW ADVISORY BOARD
7 ESTABLISHED UNDER SECTION 1302-E(A).

8 SECTION 1302-E. PENNSYLVANIA ELECTION LAW ADVISORY BOARD.

9 (A) ESTABLISHMENT.--THE PENNSYLVANIA ELECTION LAW ADVISORY
10 BOARD IS ESTABLISHED WITHIN THE JOINT STATE GOVERNMENT
11 COMMISSION.

12 (B) MEMBERS.--THE BOARD SHALL BE COMPRISED OF THE FOLLOWING
13 MEMBERS:

14 (1) THE SECRETARY OF THE COMMONWEALTH OR A DESIGNEE.

15 (2) THE PRESIDENT PRO TEMPORE OF THE SENATE OR A
16 DESIGNEE.

17 (3) THE MINORITY LEADER OF THE SENATE OR A DESIGNEE.

18 (4) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OR A
19 DESIGNEE.

20 (5) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES
21 OR A DESIGNEE.

22 (6) ONE MEMBER FROM EACH CONGRESSIONAL DISTRICT, OF WHOM
23 NO MORE THAN HALF MAY BE REGISTERED WITH THE SAME POLITICAL
24 PARTY, APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE SENATE
25 AND WHICH SHALL INCLUDE MEMBERS WHO:

26 (I) REPRESENT GROUPS ADVOCATING FOR INDIVIDUALS WITH
27 DISABILITIES;

28 (II) REPRESENT GROUPS ADVOCATING FOR VOTING RIGHTS;

29 AND

30 (III) REPRESENT COUNTY COMMISSIONERS OR COUNTY

1 ELECTION OFFICIALS.

2 (C) DUTIES.--THE BOARD SHALL HAVE THE FOLLOWING DUTIES:

3 (1) STUDY THIS ACT AND IDENTIFY STATUTORY LANGUAGE TO
4 REPEAL, MODIFY OR UPDATE.

5 (2) COLLABORATE WITH OTHER AGENCIES AND POLITICAL
6 SUBDIVISIONS OF THE COMMONWEALTH TO STUDY ELECTION-RELATED
7 ISSUES.

8 (3) STUDY THE DEVELOPMENT OF NEW ELECTION TECHNOLOGY AND
9 VOTING MACHINES.

10 (4) EVALUATE AND MAKE RECOMMENDATIONS ON:

11 (I) IMPROVING THE ELECTORAL PROCESS IN THIS
12 COMMONWEALTH BY AMENDING THIS ACT OR THROUGH REGULATIONS
13 PROMULGATED BY THE DEPARTMENT OF STATE; AND

14 (II) IMPLEMENTING BEST PRACTICES IDENTIFIED TO
15 ENSURE THE INTEGRITY AND EFFICIENCY OF THE ELECTORAL
16 PROCESS IN THIS COMMONWEALTH.

17 (5) BY THE END OF EACH FISCAL YEAR, PUBLISH EXTENSIVE
18 AND DETAILED FINDINGS ON THE JOINT STATE GOVERNMENT
19 COMMISSION'S PUBLICLY ACCESSIBLE INTERNET WEBSITE AND MAKE
20 THEM AVAILABLE IN ELECTRONIC FORMAT TO THE OFFICE OF THE
21 GOVERNOR AND MEMBERS OF THE GENERAL ASSEMBLY.

22 (D) QUORUM.--A MAJORITY OF APPOINTED MEMBERS SHALL
23 CONSTITUTE A QUORUM FOR THE PURPOSE OF CONDUCTING BUSINESS.

24 (E) CHAIRPERSON AND VICE CHAIRPERSON.--THE MEMBERS SHALL
25 SELECT A MEMBER TO BE CHAIRPERSON AND ANOTHER MEMBER TO BE VICE
26 CHAIRPERSON.

27 (F) TRANSPARENCY AND ETHICS.--THE BOARD SHALL BE SUBJECT TO
28 THE FOLLOWING LAWS:

29 (1) THE ACT OF JULY 19, 1957 (P.L.1017, NO.451), KNOWN
30 AS THE STATE ADVERSE INTEREST ACT.

1 (2) THE ACT OF OCTOBER 4, 1978 (P.L.883, NO.170),
2 REFERRED TO AS THE PUBLIC OFFICIAL AND EMPLOYEE ETHICS LAW.

3 (3) THE ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS
4 THE RIGHT-TO-KNOW LAW.

5 (4) 65 PA.C.S. CH. 7 (RELATING TO OPEN MEETINGS).

6 (G) INFORMATION GATHERING.--THE BOARD MAY CONDUCT HEARINGS
7 AND OTHERWISE GATHER RELEVANT INFORMATION AND ANALYSIS THAT IT
8 CONSIDERS APPROPRIATE AND NECESSARY TO FULFILL ITS DUTIES.

9 (H) REIMBURSEMENT.--MEMBERS OF THE BOARD SHALL BE REIMBURSED
10 FOR REASONABLE EXPENSES.

11 SECTION 15.1. SECTION 1853 OF THE ACT IS AMENDED TO READ:

12 SECTION 1853. VIOLATIONS OF PROVISIONS RELATING TO ABSENTEE
13 [ELECTORS] AND MAIL-IN BALLOTS.--IF ANY PERSON SHALL SIGN AN
14 APPLICATION FOR ABSENTEE BALLOT, MAIL-IN BALLOT OR DECLARATION
15 OF ELECTOR ON THE FORMS PRESCRIBED KNOWING ANY MATTER DECLARED
16 THEREIN TO BE FALSE, OR SHALL VOTE ANY BALLOT OTHER THAN ONE
17 PROPERLY ISSUED TO [HIM] THE PERSON, OR VOTE OR ATTEMPT TO VOTE
18 MORE THAN ONCE IN ANY ELECTION FOR WHICH AN ABSENTEE BALLOT OR
19 MAIL-IN BALLOT SHALL HAVE BEEN ISSUED TO [HIM] THE PERSON, OR
20 SHALL VIOLATE ANY OTHER PROVISIONS OF ARTICLE XIII OR ARTICLE
21 XIII-D OF THIS ACT, [HE] THE PERSON SHALL BE GUILTY OF A
22 MISDEMEANOR OF THE [FIRST] THIRD DEGREE, AND, UPON CONVICTION,
23 SHALL BE SENTENCED TO PAY A FINE NOT EXCEEDING [TEN THOUSAND
24 DOLLARS (\$10,000)] TWO THOUSAND FIVE HUNDRED (\$2,500), OR BE
25 IMPRISONED FOR A TERM NOT EXCEEDING [FIVE (5)] TWO (2) YEARS, OR
26 BOTH, AT THE DISCRETION OF THE COURT.

27 IF ANY CHIEF CLERK OR MEMBER OF A BOARD OF ELECTIONS, MEMBER
28 OF A RETURN BOARD OR MEMBER OF A BOARD OF REGISTRATION
29 COMMISSIONERS, SHALL NEGLECT OR REFUSE TO PERFORM ANY OF THE
30 DUTIES PRESCRIBED BY ARTICLE XIII OR ARTICLE XIII-D OF THIS ACT,

1 OR SHALL REVEAL OR DIVULGE ANY OF THE DETAILS OF ANY BALLOT CAST
2 IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE XIII OR ARTICLE
3 XIII-D OF THIS ACT, OR SHALL COUNT AN ABSENTEE BALLOT OR MAIL-IN
4 BALLOT KNOWING THE SAME TO BE CONTRARY TO ARTICLE XIII OR
5 ARTICLE XIII-D, OR SHALL REJECT AN ABSENTEE BALLOT OR MAIL-IN
6 BALLOT WITHOUT REASON TO BELIEVE THAT THE SAME IS CONTRARY TO
7 ARTICLE XIII OR ARTICLE XIII-D, OR SHALL PERMIT AN ELECTOR TO
8 CAST [HIS] THE ELECTOR'S BALLOT AT A POLLING PLACE KNOWING THAT
9 THERE HAS BEEN ISSUED TO THE ELECTOR AN ABSENTEE BALLOT, [HE]
10 THE ELECTOR SHALL BE GUILTY OF A FELONY OF THE THIRD DEGREE,
11 AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE NOT EXCEEDING
12 FIFTEEN THOUSAND DOLLARS (\$15,000), OR BE IMPRISONED FOR A TERM
13 NOT EXCEEDING SEVEN (7) YEARS, OR BOTH, AT THE DISCRETION OF THE
14 COURT.

15 SECTION 16. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

16 ARTICLE XVIII-B

17 EMERGENCY PROVISIONS FOR 2020 GENERAL PRIMARY ELECTION

18 SECTION 1801-B. ELECTION OFFICERS.

19 (A) REQUIREMENT.--

20 (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2), AND
21 NOTWITHSTANDING SECTION 402 OR ANY OTHER LAW OF THIS
22 COMMONWEALTH, AN ELECTION OFFICER MUST BE A QUALIFIED
23 REGISTERED ELECTOR OF THE COUNTY IN WHICH THE POLLING PLACE
24 IS LOCATED.

25 (2) AN ELECTION OFFICER SHALL NOT BE REQUIRED TO BE A
26 QUALIFIED REGISTERED ELECTOR IN THE ELECTION DISTRICT IN
27 WHICH THE ELECTION OFFICER IS APPOINTED.

28 (B) (RESERVED).

29 SECTION 1802-B. POLLING PLACE.

30 (A) CONSOLIDATION OF POLLING PLACES.--

1 (1) A COUNTY BOARD OF ELECTIONS MAY, NOT LESS THAN 20
2 DAYS PRIOR TO THE ELECTION, SELECT AND DESIGNATE AS THE
3 POLLING PLACE FOR AN ELECTION DISTRICT ANY PUBLIC OR PRIVATE
4 BUILDING SITUATED IN ANOTHER ELECTION DISTRICT WITHIN THE
5 COUNTY, NOTWITHSTANDING IF THE BUILDING IS LOCATED IN AN
6 ELECTION DISTRICT WHICH IS NOT IMMEDIATELY ADJACENT TO THE
7 BOUNDARY OF THE ELECTION DISTRICT FOR WHICH THE BUILDING IS
8 TO BE A POLLING PLACE.

9 (2) A POLLING PLACE MAY BE SELECTED AND DESIGNATED UNDER
10 THIS SUBSECTION WITHOUT THE APPROVAL OF A COURT.

11 (3) TWO OR MORE POLLING PLACES MAY BE CONSOLIDATED,
12 EXCEPT THAT THE CONSOLIDATION OF POLLING PLACES MAY NOT
13 RESULT IN MORE THAN A 60% REDUCTION OF POLLING PLACE
14 LOCATIONS IN THE COUNTY, EXCEPT FOR NECESSITOUS CIRCUMSTANCES
15 AND AS APPROVED BY THE DEPARTMENT OF STATE. TWO OR MORE
16 POLLING PLACES MAY BE LOCATED IN THE SAME BUILDING.

17 (4) A POLLING PLACE SELECTED AND DESIGNATED UNDER THIS
18 SUBSECTION MUST BE DIRECTLY ACCESSIBLE BY A PUBLIC STREET OR
19 THOROUGHFARE.

20 (B) POSTING.--A COUNTY BOARD OF ELECTIONS SHALL, NOT LESS
21 THAN 15 DAYS PRIOR TO THE ELECTION UNDER SECTION 1804-B, POST IN
22 A CONSPICUOUS PLACE AT THE OFFICE OF THE COUNTY BOARD OF
23 ELECTIONS, A LIST OF EACH PLACE AT WHICH THE ELECTION IS TO BE
24 HELD IN EACH ELECTION DISTRICT OF THE COUNTY. THE LIST SHALL BE
25 AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE COUNTY
26 BOARD OF ELECTIONS AND POSTED ON THE COUNTY'S PUBLICLY
27 ACCESSIBLE INTERNET WEBSITE.

28 SECTION 1803-B. PERMISSIBLE POLLING PLACE LOCATIONS.

29 (A) SERVICE.--SUBJECT TO SUBSECTION (B) AND NOTWITHSTANDING
30 SECTION 529(A) AND (B) OR ANY OTHER LAW OF THIS COMMONWEALTH,

1 MALT OR BREWED BEVERAGES AND LIQUORS MAY BE SERVED IN A BUILDING
2 WHERE A POLLING PLACE IS LOCATED DURING THE HOURS THAT THE
3 POLLING PLACE IS OPEN, EXCEPT THAT AN ELECTION MAY NOT BE HELD
4 IN A ROOM WHERE MALT OR BREWED BEVERAGES OR LIQUORS ARE
5 DISPENSED.

6 (B) ACCESSIBILITY.--A POLLING PLACE UNDER SUBSECTION (A)
7 MUST BE ACCESSIBLE FROM AN OUTSIDE ENTRANCE THAT DOES NOT
8 REQUIRE PASSAGEWAY THROUGH THE ROOM WHERE MALT OR BREWED
9 BEVERAGES OR LIQUORS ARE DISPENSED.

10 SECTION 1804-B. GENERAL PRIMARY ELECTION.

11 (A) TIME.--NOTWITHSTANDING SECTION 603 OR ANY LAW OF THIS
12 COMMONWEALTH, THE GENERAL PRIMARY ELECTION SHALL OCCUR
13 THROUGHOUT THIS COMMONWEALTH ON JUNE 2, 2020.

14 (B) CALCULATION.--THE FOLLOWING SHALL APPLY:

15 (1) EXCEPT FOR THE DEADLINE RELATING TO THE NOMINATION
16 OF A CANDIDATE UNDER ARTICLE IX, ANY DATE OR DEADLINE IN THIS
17 ACT, 25 PA.C.S. PT. IV (RELATING TO VOTER REGISTRATION) OR 25
18 PA.C.S. CH. 35 (RELATING TO UNIFORM MILITARY AND OVERSEAS
19 VOTERS) THAT DEPENDS ON, OR IS CONTINGENT ON, THE DATE OF THE
20 GENERAL PRIMARY ELECTION, SHALL BE CALCULATED BASED ON THE
21 JUNE 2, 2020, DATE FOR THE GENERAL PRIMARY ELECTION.

22 (2) NOTWITHSTANDING SUBSECTION (A), THE DUE DATE FOR THE
23 SIXTH TUESDAY PRE-PRIMARY CYCLE 1 CAMPAIGN FINANCE REPORT
24 SHALL BE MARCH 17, 2020.

25 (C) NONAPPLICABILITY.--THIS SECTION SHALL NOT BE CONSTRUED
26 TO APPLY TO THE NOMINATING PETITION PROCESS.

27 (D) BALLOTS.--A BALLOT FOR THE GENERAL PRIMARY 2020 WHICH
28 HAS BEEN PURCHASED, PRINTED OR ACQUIRED PRIOR TO THE EFFECTIVE
29 DATE OF THIS SECTION AND SHOWS AN ELECTION DATE OF APRIL 28,
30 2020, SHALL NOT BE DEEMED TO BE INVALID BECAUSE OF THE DATE.

1 SECTION 1805-B. EXPIRATION.

2 THIS ARTICLE SHALL EXPIRE ON JULY 3, 2020.

3 SECTION 17. THIS ACT SHALL APPLY AS FOLLOWS:

4 (1) THE AMENDMENT OR ADDITION OF THE FOLLOWING SHALL
5 APPLY TO ELECTIONS OCCURRING ON OR AFTER JUNE 2, 2020:

6 (I) SECTION 102(A.1), (G.1) AND (Z.6).

7 (II) SECTION 1302.2(C).

8 (III) SECTION 1308(G).

9 (IV) SECTION 1301-D(A).

10 (V) SECTION 1302.2-D(A).

11 (2) THE AMENDMENT OR ADDITION OF THE FOLLOWING SHALL
12 APPLY TO ELECTIONS OCCURRING ON OR AFTER NOVEMBER 2, 2020:

13 (I) SECTION 302(P).

14 (II) SECTION 1302(I)(1).

15 (III) SECTION 1303(E).

16 (IV) SECTION 1306(B).

17 (V) SECTION 1302-D(F).

18 (VI) SECTION 1303-D(E).

19 (VII) SECTION 1306-D(B).

20 (3) THE AMENDMENT OR ADDITION OF THE FOLLOWING SHALL
21 APPLY TO ENVELOPES AND BALLOTS PURCHASED, PRINTED OR ACQUIRED
22 AFTER THE EFFECTIVE DATE OF THIS SECTION:

23 (I) SECTION 1004.

24 (II) SECTION 1109-A(B) AND (E).

25 (III) SECTION 1112-A(B)(2), (3) AND (4).

26 (IV) SECTION 1303(A).

27 (V) SECTION 1304.

28 (VI) SECTION 1306(A).

29 (VII) SECTION 1303-D(A.1).

30 (VIII) SECTION 1304-D(A).

1 (IX) SECTION 1306-D(A).

2 SECTION 18. REPEALS ARE AS FOLLOWS:

3 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
4 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE AMENDMENT OR
5 ADDITION OF SECTION 1231(C) (2) AND (E).

6 (2) 25 PA.C.S. § 1328(C) (4) AND (5) ARE REPEALED.

7 SECTION 19. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.